

From: genovese, marie
Sent: Wednesday, September 16, 2009 7:12 PM
To: rowen, ginny
Cc: Keegan, Cynthia
Subject: National Conference Center

Ginny,

I have reviewed the applicant's submitted materials (dated September 10, 2009) and offer the following comments.

- Staff does not support the requested Zoning Ordinance Modification to permit the proposed 212 dwelling units to be served via a single point of access. A second point of access is contingent on the Board of Supervisors granting an easement through the County's Lansdowne Sports Park. Staff notes the conference center as well as Belmont Ridge Middle School would also be served by this single point of access. Staff has spoken with Fire, Rescue, and Emergency Management and understands they continue to have concerns with regard to safety associated with the requested modification.
- The applicant has removed the proffer pertaining to improvements to the existing Sportsplex/Community Center. The April 27, 2009 response to staff's third referral comments provided the facility needed a new roof and new Heating, Ventilation, and Air Condition system. As the applicant is counting this facility as meeting the civic space component of the land use mix, commitments should be made to upgrade this facility accordingly.
- The applicant is seeking capital facility credit of \$30,000 for the relocation of the Lansdowne Sports Park tot lot (Proffer IIIB). Staff notes that per the Capital Facilities Planner capital facility credits can only be granted for proffered land dedications to the County. Staff recommends the applicant remove capital facility credits for the relocation of the tot lot from the submitted proffers.
- Proffer IVB provides that the applicant shall provide a contribution of \$526.35 for each residential unit, or \$111,586 to be used for regional recreational facilities or open space easements in the Ashburn Community. To achieve higher density housing the Board anticipates evidence of participation in the Open Space Preservation Program. In the past, the Board has historically accepted \$3,800 - \$5,000 per easement. If easements are priced at \$3,800 to \$5,000 per easement, the open space contribution for 29.365 easements for the proposed application would range from \$111,587 to \$146,825. While the proffered amount meets the minimum amount historically accepted by the Board, this amount does not seem reasonable given current market values and with the goal of purchasing open space in the Ashburn Community.
- Staff recommends updating Proffer VIID pertaining to the priority for wetland mitigation as follows: (1) onsite, (2) within the same stream watershed and planning policy area, (3) within the same stream watershed within Loudoun County, and (4) elsewhere within Loudoun County.
- There is a typo on Sheet 6. The Open Space Calculation should be revised to state 3.34 acres of additional open space is provided in Land Bay A-8.

Let me know if you have any questions.

Thanks,
 Marie

Marie Genovese, AICP
 Planner, Community Planning
 1 Harrison Street, 3rd Floor
 Leesburg, VA 20177
 Phone (703) 777-0246
 Fax (703) 777-0441

Attachment 1A

A-1

From: Marie Genovese
To: Rowen, Ginny
CC: Keegan, Cynthia
Date: 7/30/2009 11:14 AM
Subject: NCC rezoning

Hi Ginny,

I just wanted to give you a follow-up to the meeting I had with Ben Wales and Chris Stephenson on July 17, 2009. Per our meeting the following issues have been resolved: Commitments to on-street parking, civic and open space (provided the applicant updates the CDP to show the sportsplex building itself as civic space and the remaining portion of landbay A-8 as open space - the applicant also agreed to delineate landbay O-2 as open space rather than civic space to meet the land use requirement - the applicant will need to provide information on what the intent is for open space landbays O-2, O-3, and O-4 to ensure they meet the intent of the Plan), the applicant provided they will update Proffer IIID to state that the tot lot is shown on Sheet 4 of the CDP, ADU density bonus, the applicant provided they will update Proffer IVB to state that the open space contribution will be used for open space purposes in the Ashburn Community, per the applicant they are no longer doing the buffer enhancement plantings, so my comment pertaining to showing those on Sheet 5 is no longer valid, and the sidewalk issue is resolved - after discussing with the applicant we decided that sidewalks adjacent to landbay O-2 would not be required. The following outstanding issues remaining: information pertaining to the intent for open space landbays O-2, O-3, and O-4 to ensure the intent of the Plan is being met, capital facilities, staff does not support the requested ZMOD requesting more than 79 units to be served via a single point of access, and open space preservation program.

Let me know if you have any questions.

Thanks,
Marie

Marie Genovese, AICP
Planner, Community Planning
1 Harrison Street, 3rd Floor
P.O. Box 7000
Leesburg, VA 20177-7000
Phone (703) 737-8798
Fax (703) 777-0441

From: Marie Genovese
To: Rowen, Ginny
CC: Keegan, Cynthia; Marsh, William
Date: 6/11/2009 5:13 PM
Subject: National Conference Center

Ginny,

I have reviewed the 4th submission materials for the National Conference Center application (ZMAP 2007-0004) and offer the following comments:

1. As currently proposed there are no commitments to on-street parking or detached and/or rear loaded garages for single-family attached units as recommended in the 3rd referral.
2. Sheet 6, Tabulation & Requirement Sheet provides tables outlining the open space and civic space calculations. It appears that Landbay O-2 is included in both tables. Furthermore, the public and civic space calculation table includes 3.90 acres of "Civic Area uses such as but not limited to community gardens, picnic areas, trails and paths". Staff is unsure where these amenities are located on the subject property. Please note that community gardens as well as trails and paths do not meet the Plan's intent for civic space. Civic uses should consist of public gathering places, creating a focal point for the community. The Plan calls for residential neighborhoods to provide public and civic space at a minimum of 10% of the gross acreage of the property, totaling approximately 4.56 acres for the subject site. According to the public and civic space calculation provided on Sheet 6, 32,000 square feet of the existing Sports-Plex will meet the criteria of civic space as well as a 0.77 acre civic green area (landbay O-2), totaling 1.5 acres. Staff recommends revising the CDP to show an additional 3.06 acres of civic space to meet the land use requirement as called for in the Plan.
3. Proffer IIIA provides that 2 tot lots will be provided, but no information has been included where these tot lots will be located. Furthermore, the proffer states that the tot lots will include age appropriate commercial quality recreational equipment (such as, but not limited to, swings, a swing set, a slide and/or a see-saw). As currently proposed, staff has no assurance that the proposed tot lots will meet the intent of the Plan (according to the proposed proffers one slide would satisfy the requirement for a tot lot).
4. Proffer VIIID states the existing Sports-Plex will be either annexed into the Lansdowne on the Potomac HOA or if the property is not annexed into the Lansdowne on the Potomac HOA or if the HOA does not want to accept ownership of the Sports-Plex/Community Center, the facility will be dedicated to the Loudoun County Department of Parks, Recreation and Community Services (PRCS). The right to use the Sports-Plex will be retained through either agreement at no cost, by guests and staff of the National Conference Center. Staff also notes that the applicant is proposing capital facility credit in the amount of 3 million dollars for the Sports-Plex/Community Center (Proffer IVA) as well as the improvements to the Sports-Plex/Community Center

included in Proffer VIIID2 totaling \$120,000. As the facility is proposed to serve the residents of the proposed community and there is no guarantee that the facility will be dedicated to the PRCS, staff recommends removing all capital facility credits associated with the facility itself and improvements to the facility. Furthermore, staff notes the additional transportation impacts associated with the Sports-Plex/Community Center being utilized as a public facility have not been analyzed.

6. Proffer IIID states that the owner shall relocate an existing tot lot at Lansdowne Sports Park to an alternative location within the Park as shown on Sheet 6 of the CDP. Staff notes the tot lot is not shown on Sheet 6. The proffer also states the owner shall expend approximately \$34,00 for the improvements to the relocated tot lot. This should be updated to reflect \$34,000.

7. The applicant is requesting a Zoning Ordinance Modification (ZMOD) to permit more than 79 units to be served via a single point of access. The applicant is proposing to extend Road A to Kipheart Drive, providing a second point of access. However, the extension of Road A is proposed to cross through the County's Lansdowne Sports Park and is contingent on an easement being granted by the Board of Supervisors. Staff notes the applicant has been working with PRCS regarding the proposed roadway crossing. However, if the Board does not grant the easement, staff has concerns with regard to the entire 212 units being served via a single point of access. Staff notes the conference center as well as Belmont Ridge Middle School would also be served by this single point of access. Staff has spoken with Fire, Rescue, and Emergency Management and understands they continue to have concerns with regard to safety associated with the requested modification. Proffer VIA provides that residential permits shall not be issued for more than 79 units at the property unless and until Road A has been extended to connect to Kipheart Drive. Staff is unsure why the ZMOD to permit more than 79 units to be served via a single point of access is still being requested. For the reasons stated above, staff does not support permitting more than 79 units to be served via a single point of access. Staff recommends removing the requested modification from the application materials.

8. Staff notes that Proffer IVA pertaining to capital facilities contributions includes a maximum amount of \$5,898,726 less the amount of proposed credits (see discussion above). The proffers also provide that for each market rate residential unit a capital facility contribution will be provided in the amount of \$46,819 per single-family detached residential unit, \$29,709 per single-family attached residential unit and \$18,904 per multi-family residential unit. As these proffers provide the amount for the different unit types, a maximum amount is unnecessary. Staff notes that a commitment to a minimum amount of Affordable Dwelling Units (ADU) has not been included with the application materials and therefore the total anticipated capital facilities contribution may be higher than \$5,898,726 (see below).

9. Staff notes the applicant is requesting the ADU density bonus as permitted in the Revised 1993 Zoning Ordinance; however, no commitments have been provided regarding ADUs per unit type. Per the ordinance 19 units (12.5%) are required for the single-family detached and single-family attached units and 4 units (6.25%) are required for the multi-family units. Staff recommends a commitment to the number of

units per unit type. The note provided on Sheet 6 with regards to the ADU calculations provides that "ADU exemptions for MF units are applicable pursuant to Article 7". Per Article 7 ADUs are not required in multi-family dwelling units with four or more stories and having an elevator; therefore, without a commitment staff is unsure whether the applicant can justify the requested density bonus.

10. To achieve higher density housing the Board anticipates evidence of participation in the Open Space Preservation Program. Contributions should be provided to enable the County to purchase Suburban Policy Area open space to offset the density proposed by the development. In the past, the Board has historically accepted \$3,800 - \$5,000 per easement. If easements are priced at \$3,800 to \$5,000 per easement, the open space contribution for 29.365 easements for the proposed application would range from \$111,587 to \$146,825 (provided ADU commitments are provided as recommended above). Proffer IVB includes an open space contribution of \$526.35 for each residential unit, or \$111,586.20 for 212 units. While the proffered amount meets the minimum amount historically accepted by the Board, this amount does not seem reasonable given current market values and with the goal of purchasing open space in the Ashburn Community. Furthermore, Proffer IVB provides that the open space contribution "shall be used by the County to pay for regional recreational facilities or open space easements in the Vicinity of the Property, including but not limited to, improvements at Lansdowne Sports Park, Elizabeth Mills Riverfront Park, Kephart Bridge Landing, Bles Park and Keep Loudoun Beautiful Park". Staff recommends updating this proffer to state that the open space contribution shall be used for open space purposes in the Ashburn Community.

11. Proffer VIIIE states the owner shall provide five buffer enhancement planting areas shown on Sheet 5 of the CDP. Buffer enhancement planting areas are not shown on Sheet 5.

12. Sidewalks are not proposed on both sides of internal roadways as called for in the Bike/Ped Plan. Staff notes that Road E adjacent to the proposed civic area does not include sidewalks.

I asked ERT to look at the commitments to E&S Control and Phosphorous Removal - if they have any comments they will be provided separately.

Let me know if you have any questions.

Thanks,
Marie

Marie Genovese, AICP
Planner, Community Planning
1 Harrison Street, 3rd Floor
P.O. Box 7000
Leesburg, VA 20177-7000
Phone (703) 737-8798

Attachment 1- Capital Facilities Impact Analysis
ZMAP 2007-0004, National Conference Center

TOTAL PROJECTED CAPITAL FACILITIES IMPACT

The total projected capital facilities impact of the proposed development is calculated using the approved capital intensity factors for the proposed unit mix. Revised Capital Intensity Factors (CIFs) were adopted by the Board of Supervisors on July 21, 2009.

<i>Housing Type</i>	<i>Total Number of Units</i>	<i>Capital Intensity Factors</i>	<i>Projected Capital Facilities Impact</i>
Single-Family Detached (SFD)	45	\$59,470	\$2,676,150
Single-Family Attached (SFA)	105	\$40,385	\$4,240,425
Multi-Family (MF)	62	\$23,758	\$1,472,996
TOTAL	212		\$8,389,571

212 Total Units \$8,389,571 Total Projected Capital Facilities Impact

ANTICIPATED CAPITAL FACILITIES CONTRIBUTION

The anticipated capital facilities contribution of the proposed development takes into account Affordable Dwelling Units (ADUs) and the number of units permitted by the base density. According to a resolution passed by the Board of Supervisors on February 15, 2005, the base density and base unit type of a type of property should be calculated using the current zoning of the property.

1. Number of Market Rate Units Subject to Capital Facilities Proffer Guidelines

<i>Housing Type</i>	<i>Total Number of Units</i>	<i>Number of Proposed ADUs</i>	<i>Number of Market Rate Units</i>
Single-Family Detached (SFD)	45	0	45
Single-Family Attached (SFA)	105	19	86
Multi-Family (MF)	62	4	58
TOTAL	212	23	189

2. Capital Facilities Calculations for Market Rate Units

<i>Housing Type</i>	<i>Total Number of Market Rate Units</i>	<i>Capital Intensity Factors</i>	<i>Capital Facilities Calculations for Market Rate Units</i>
Single-Family Detached (SFD)	45	\$59,470	\$2,676,150
Single-Family Attached (SFA)	86	\$40,385	\$3,473,110
Multi-Family (MF)	58	\$23,758	\$1,377,964
TOTAL	189		\$7,527,224

3. Capital Facility Credit for Base Density Units assuming Single Family Detached Dwellings

<i>Zoning District</i>	<i>Acres</i>	<i>Density Permitted By-right (du/acre)</i>	<i>Base Density Units</i>	<i>Capital Intensity Factor</i>	<i>Capital Facility Credit for Base Density Units</i>
PD-SA	45.61	0	0	\$59,470	\$0
0	0.00	0	0	\$59,470	\$0
0	0.00	0	0	\$59,470	\$0
TOTAL			0		\$0

4. Anticipated Capital Facilities Contribution

\$7,527,224 - \$0 = \$7,527,224

\$7,527,224 Anticipated Capital Facilities Contribution

County of Loudoun
Department of Planning
MEMORANDUM

DATE: October 30, 2008

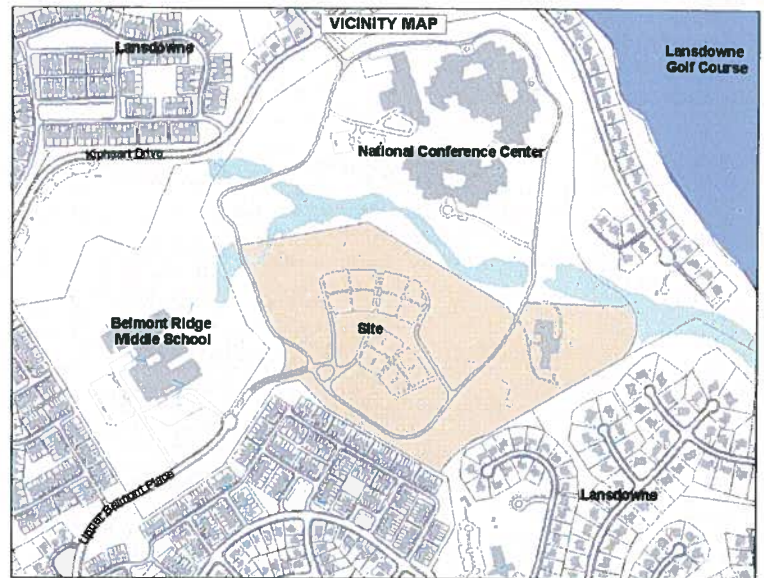
TO: Ginny Rowen, Project Manager
Land Use Review

FROM: Marie Genovese, AICP, Planner
Community Planning

SUBJECT: ZMAP 2007-0004, National Conference Center – Third Referral

BACKGROUND

WXIII/Oxford DTC Real Estate LLC is seeking to rezone an approximately 45.61 acre portion of a 112.26 acre parcel of land to PD-H4 (Planned Development – Housing) in order to develop 212 residential units at a density of 4.6 dwelling units per acre. The subject property is located north of Route 7 within the Lansdowne Community, west of Belmont Ridge Middle School and south of the National Conference Center (see Vicinity Map). The subject property contains a fitness center and two surface parking lots, which serve the National Conference Center facilities. The property is currently zoned PD-SA (Planned Development – Special Activity) and is governed under the provisions of the Revised 1993 Zoning Ordinance.



The applicant has responded to Community Planning's second referral dated May 6, 2008. Many of the issues outlined in the second referral remain outstanding. While the applicant has addressed the transportation issues by providing a second point of access (connecting Road A to Kipheart Drive) and eliminating potential conflicts associated with National Conference Center traffic traveling through the proposed residential community (cul-de-sac-ing Road B), the second point of access is contingent on the Board of

Supervisors granting an easement across the Lansdowne Sports Park and the applicant is requesting to potential extend Road B to serve potential future parking for the National Conference Center. Outstanding issues should be addressed to ensure that the intent of the Revised General Plan is being met with the proposed project. Staff has outlined the outstanding issues below.

OUTSTANDING ISSUES

A. SITE DESIGN

The Revised General Plan states that Residential Neighborhoods will exhibit the following design characteristics desired by the County:

- Compact site layout to reduce trips within the neighborhood, facilitate alternative forms of transportation, preserve the Green Infrastructure, and result in reduced transportation and utilities infrastructure costs;
- Pedestrian-scale streetscape including such features as street trees, sidewalks along all street frontage, and street lighting;
- A predominantly interconnected street pattern with inter-parcel connections;
- A variety of lot sizes; [and]
- Energy efficient design and construction principles, promote high performance and sustainable buildings, and minimize construction waste and other negative environmental impacts (Revised General Plan, Chapter 6, Residential Neighborhoods Policy 4 & CPAM 2007-0001, Countywide Housing Policies Guiding Principles Policy 12).

- a. Compact Site Layout: The Concept Development Plan (CDP) shows land bays for residential and open space uses. As currently proposed, residential land bays are located within the river and stream corridor resource. A redesign of the site could facilitate a compact site layout while preserving these environmental resources (See Existing Conditions discussion below).
- b. Pedestrian-scale Streetscape: The proposed project does not specify the location of street lighting as called for in the Plan (Revised General Plan, Chapter 11, Design Guidelines: Residential Neighborhoods Streetscape). Street trees are shown on Sheet 5, Concept Plan; however, Note 5 states street tree quantities and locations are subject to modification with final engineering and subdivision layout.
- c. Parking: The Plan calls for continuous parallel parking in the street at the front of residential lots for additional cars and visitors (Revised General Plan, Chapter 11, Design Guidelines, Residential Neighborhoods: Streetscape). While Sheet 10, Typical Lotting Details & Typical Road Sections depicts on-street parking on one or both sides of private streets, this sheet is for illustrative purposes only.

The Plan also calls for garages to be set back from the front façade of the dwelling to emphasize the pedestrian entrance (Revised General Plan, Chapter 11, Design Guidelines, Residential Neighborhoods: Streetscape). Notes on various sheets refer to Section 3-507(E)(1) of the Zoning Ordinance calling for garages to be setback at

least 20 feet from the front line of the building. Staff notes that the correct section is 3-507(E)(2) and only applies to districts administered as R-8; therefore, this section does not apply to any of the proposed single-family attached units.

Staff recommends redesigning the site locating development outside of all elements of the river and stream corridor resource. Staff further recommends the applicant commit to the following:

- ***location of street trees and street lighting throughout the project;***
- ***on-street parking; and***
- ***detached garages and/or rear loaded garages for single-family attached units.***

B. TRANSPORTATION

In the previous referrals staff had concern regarding the impacts associated with traffic traveling to and from the National Conference Center through the proposed residential community. The applicant has updated the Concept Development Plan (CDP), linking Road A to Kipheart Drive and cul-de-sacing Road B, thereby separating National Conference Center traffic from the proposed residential community. Staff notes however, that Road A is proposed to cross through the County's Lansdowne Sports Park and is contingent on an easement being granted by the Board of Supervisors. Additionally, the Note on the Concept Plan states the owner reserves the right to connect Road B and the potential parking area serving the National Conference Center. Staff is concerned with impacts associated with traffic traveling to and from the National Conference Center parking area through the proposed residential community.

The applicant is requesting a Zoning Modification to permit more than 79 dwelling units to be served via a single point of access. The applicant proposes to have the entire 212 residential dwelling units served via a single point of access in the event the Board of Supervisors does not grant an easement permitting the extension of Road A to Kipheart Drive. Staff notes that the conference center as well as Belmont Ridge Middle School would be served by this single point of access. There is no guarantee an easement will be granted by the Board of Supervisors or how the easement would impact the usage of the property. Staff has spoken with Fire, Rescue, and Emergency Management and understands they continue to have concerns with regard to safety associated with the requested modification. Staff also understands that the Office of Transportation Services has concerns with the July 10, 2008 traffic memorandum/response letter, which need to be resolved.

Staff recommends separating National Conference Center traffic from the proposed residential community by removing the note from the Concept Plan stating that Road B may be extended to the potential parking area serving the National Conference Center. Staff defers to OTS and Fire, Rescue, and Emergency Management regarding the transportation and safety issues.

C. LAND USE MIX

1. Public Parks and Open Space

Plan policies state that Residential Neighborhoods will fully incorporate open space at a minimum of 30 percent of the gross acreage of the property, totaling approximately 13.68 acres for the subject property (Revised General Plan, Chapter 6, Residential Neighborhoods Policy 3). Open space should consist of a mix of active and passive and/or natural areas (Revised General Plan, Chapter 6, Open Space Policy 1). Open space policies call for 75 percent of the required open space to consist of interior space thus neither required buffer areas nor “leftover spaces” should consist of more than 25 percent of the open space requirement (Revised General Plan, Chapter 6, Open Space Policy 3). Plan policies also state that while the entire area of the river and stream corridor resources will be protected only 50% of the open space requirement may be satisfied by this area (Revised General Plan, Chapter 6, Open Space Policies 6 & 7).

The CDP shows five open space areas, including the existing fitness center and Sheet 6 (Tabulation & Requirement Sheet) outlines the amount of open space being provided. It appears that the applicant is meeting the amount of open space required; however, staff has concerns that the open space provided does not meet the intent of the Plan. Proffer IIIA states that two tot lots will be provided with age-appropriate recreational equipment (such as, but not limited to, swings, a swing set, a slide and/or a see-saw). As currently proposed staff has no assurance that the proposed tot lots will provide the types of active recreation envisioned by the Plan. Furthermore, Proffer IIIA states that the tot lots will be provided prior to approval of the 150th residential zoning permit, more than half of the total residential development.

Staff recommends the applicant commit to commercial quality equipment for the tot lots. Staff further recommends updating Proffer IIIA committing to the proposed tot lots at an earlier stage of development.

The existing fitness center, located in the eastern portion of the subject site while not located central to the development will also provide recreational amenities for the residents of the community. The Phasing Plan on Sheet 6 states that access to the existing recreation facility will be established with the creation of the Property Owners Association. Staff notes that proffer VIII provides that the property will be subject to a Homeowners Association. Proffer IIIB states that all residents will have access to the Sports-Plex. Staff notes that the existing facility is aging and recommends some upgrades to the facility prior to the development of the site. Staff further notes that this facility is also an amenity for the conference center. Since the existing facility currently serves the National Conference Center, staff is unsure how the applicant proposes to address potential impacts associated with the increased number of individuals using this facility. Furthermore, Proffer VIIC states the subject property may be annexed into the Lansdowne on the Potomac HOA; thereby opening up the existing fitness center to additional potential users.

Staff recommends revising the proffer statement to include upgrades to the fitness center. The Phasing Plan note on Sheet 6 should be revised to state

access to the existing fitness center will be established with the creation of the Homeowners Association or the inclusion of the property into the Lansdowne on the Potomac HOA in the event the property is annexed. Staff requests information regarding the shared use of the fitness center by the conference center and the residents of the proposed community to ensure the facility will be sized to adequately meet the needs of both users.

2. Public and Civic Space

Public and civic spaces play an important role in residential neighborhoods by providing a place for residents to meet and hold events and contributing to the community's identity and aesthetics. Public/civic uses should consist of public gathering places, creating a focal point for the community (Revised General Plan, Chapter 6, Residential Neighborhoods Policy 4d and Glossary). The Revised General Plan calls for residential neighborhoods to provide public and civic space at a minimum of 10% of the gross acreage of the property, totaling approximately 4.56 acres for the subject site (Revised General Plan, Chapter 6, Residential Neighborhoods Policy 2). The response to the first referral comments provided that the existing fitness center located in the eastern portion of the site will provide meeting space for the residents of the community. However, staff noted that the existing facility lacked adequate meeting space for the use of the residents of the proposed 212 dwelling units. The CDP has been revised to show a 0.77 acre Neighborhood Green/Civic Space located central to the development; however, no information has been provided regarding the proposed civic space. Furthermore, the amount of civic space provided does not meet Plan policies.

Staff recommends revising the CDP to show an additional 3.79 acres of public and civic space. Staff requests information regarding the proposed 0.77 acre civic space to determine if the intent of the Plan is being met.

D. EXISTING CONDITIONS

1. River and Stream Corridor Resources

The subject site contains river and stream corridor resources as defined by the Revised General Plan.

An unnamed tributary to the Potomac River is located in the northern portion of the subject site. The unnamed tributary to the Potomac River; adjoining floodplains; and adjacent steep slopes (slopes 25% or greater within 50 feet of streams and floodplains, extending no farther than 100 feet beyond the originating stream or floodplain), along with the 50-foot management buffer surrounding the adjacent steep slopes, as called for in the Revised General Plan together constitute the river and stream corridor resource (Revised General Plan, Chapter 5, River and Stream Corridor Resources Policy 2). The river and stream corridor resource has been incorrectly delineated on the submitted plats. It does not appear that the 50-foot management buffer surrounding the adjacent steep slope areas (slope 25 percent or greater) have been incorporated into the river and stream corridor resource. It appears that portions of land bays A-1 and A-6 are located within the river and stream corridor resource.

Staff recommends revising the submitted plats to include all the elements of the river and stream corridor resources as called for in the Plan. Staff recommends redesigning the site locating development outside of the river and stream corridor resources. Staff defers to the department of Parks, Recreation, and Community Services regarding dedication of the river and stream corridor resource for a passive linear park.

2. Stormwater Management

Plan policies call for “appropriate standards to protect natural streams from the harmful effects of increased stormwater volume and velocity resulting from development” (Revised General Plan, Chapter 5, Surface Water Policy 5). Furthermore, the County promotes water conservation through low impact development techniques (Revised General Plan, Chapter 5, Surface Water Policy 2). LID uses natural vegetation and small-scale treatment systems to treat and infiltrate rainfall close to the source. LID's goal is to mimic a site's predevelopment hydrology by using design techniques that infiltrate, filter, store, evaporate, and detain stormwater runoff. LID locates water quality measures at the closest possible proximity to proposed impervious areas. The applicant's response to staff's comments provides stormwater runoff will comply with the requirements of the FSM; however, no information has been provided regarding how stormwater runoff will be handled for the proposed project. Proffer VIIC states that the applicant will design and construct stormwater management facilities on the property utilizing LID measures subject to engineering feasibility and if required by the Facilities Standards Manual (FSM) at the time of zoning approval. Staff notes that the FSM does not currently require LID measures.

Staff requests information pertaining to stormwater runoff. Given that surface water from the proposed neighborhood will eventually drain into the Potomac River, staff recommends the applicant commit to measures that can treat the quality of the water near proposed impervious areas using LID techniques.

3. Forests, Trees, and Vegetation

The Plan states that the County's forests and trees improve air and water quality, offer important habitat for wildlife, are excellent buffers between communities, conserve energy, reduce wind speed and redirect airflow, reduce stormwater runoff and soil erosion, and can increase real property values (Revised General Plan, Chapter 5, Forests, Trees, and Vegetation text). Tree Conservation Areas (TCAs) are delineated within open space land bay O-1; however, staff notes that land bay O-1 contains additional vegetation that could be preserved. Furthermore, it appears that ten potential specimen trees are located within open space land bay O-1 that could be preserved. Open space land bay O-5 also contains existing vegetation; however, it does not appear that any of this vegetation will be preserved with the development of the site. As the site contains a considerable amount of high quality mixed hardwoods, staff recommends preserving the existing tree cover in its entirety within open space areas.

Staff recommends expanding the TCAs to correspond with open space land bays primarily within the river and stream corridor resources and steep slope areas.

F. ZONING MODIFICATIONS

The applicant seeks to modify the Zoning Ordinance to allow:

- a. Private streets to serve single-family detached units;
- b. More than 79 units to be served via a single point of access;
- c. The elimination of the buffer yard between all residential land bays internal to the property;
- d. A reduction in the yards adjacent to roads from 100 feet to 35 feet for the guardhouse and associated facilities; and
- e. A reduction in the perimeter buffer yard from 50 feet to 10 feet adjacent to the existing fitness facility.

Staff notes the applicant is proposing to extend Road A to Kipheart Drive, providing a second point of access. However, as stated previously, the extension of Road A is contingent on the Board of Supervisors granting an easement through Lansdowne Sports Park. If the easement is not granted staff has concerns regarding the safety issues associated with 212 residential dwelling units, the conference center, and Belmont Ridge Middle School traffic all utilizing a single point of access.

For the above reason, staff does not support permitting more than 79 units to be served via a single point of access.

G. OPEN SPACE PROGRAM

To achieve higher density housing, "the Board of Supervisors anticipates evidence of participation in the Open Space Preservation Program". The County anticipates that cash donations for open space will be spent in the Suburban Community in which the increased density is granted" (Revised General Plan, Chapter 11, Open Space Policy 3). Contributions should be provided to enable the County to purchase Suburban Policy Area open space to offset the density proposed by the development. In the past, the Board has historically accepted \$3,800 - \$5,000 per easement.

If easements are priced at \$3,800 to \$5,000 per easement, the open space contribution for 29.365 easements for the proposed application would range from \$111,587 to \$146,825 (Attachment 1). However, this amount does not seem reasonable given current market values and with the goal of purchasing open space in the Ashburn Community. Proffer IVB provides \$462.36 per unit totaling \$98,020.32.

Staff recommends the application contribute land or provide an open space easement contribution equivalent to the cost of purchasing open space in the Ashburn Community.

H. OTHER COMMENTS

Staff notes that on Sheet 6, Tabulation & Requirement Sheet residential units associated with land bays A-2 and A-3 have been inverted.

RECOMMENDATIONS

Community Planning is unable to support the application. As currently proposed if the Board of Supervisors does not grant an easement through the Lansdowne Sports Park there are safety issues with regards to the entire 212 dwelling units as well as the conference center and Belmont Ridge Middle School all being served via one point of access. As stated above, staff cannot support the requested zoning modifications to permit more than 79 dwelling units to be served via a single point of access. Additionally, staff has concerns with impacts associated with access through the residential development to the potential parking area serving the National Conference Center.

If the above transportation issues are resolved, staff further recommends redesigning the site, locating development outside of the river and stream corridor resource. As currently proposed, the proposed development does not meet the land use mix as called for in the Plan. Staff recommends committing to providing the tot lots with commercial quality equipment at an earlier stage of development and upgrading the existing fitness center. Information should be provided regarding how the existing fitness center will be shared by guests of the conference center as well as the residents of the proposed community to ensure the facility will be sized to adequately meet the needs of both users. The CDP should be revised to show an additional 3.79 acres of civic space. Information should also be included regarding the proposed 0.77 acre civic space to ensure it meets the intent of the Plan.

In addition, staff recommends the following:

- Commitment to the location of street trees and lighting;
- Commitment to on-street parking;
- Commitment to detached and/or rear loaded garages for single-family attached units;
- Revise the CDP to show all elements of the river and stream corridor resource;
- Information pertaining to stormwater runoff;
- Commitment to LID techniques;
- Expand Tree Conservation Areas to include all existing vegetation within open space land bays primarily within the river and stream corridor resource and steep slope areas.

Staff also recommends that open space impacts of the proposed development be mitigated.

Staff is available to meet with the applicant to discuss any comments or questions.

ATTACHMENTS

Attachment 1: **Open Space Preservation Program Analysis**

cc: Julie Pastor, AICP, Planning Director
Cindy Keegan, AICP, Community Planning Program Manager via e-mail

County of Loudoun
Department of Planning
MEMORANDUM

DATE: May 6, 2008

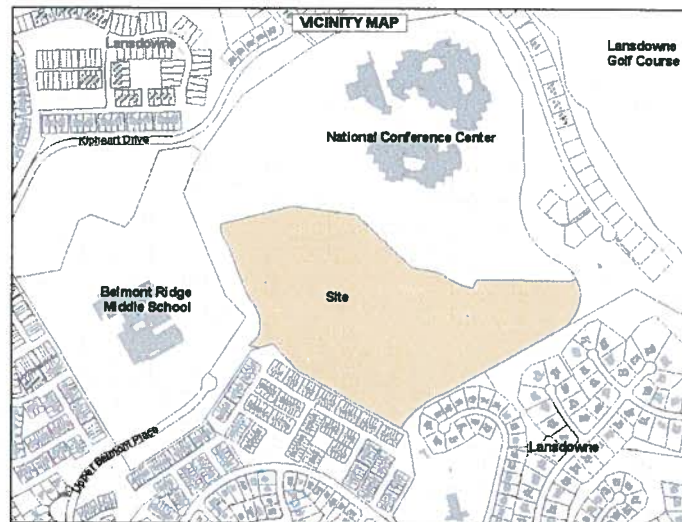
TO: Ginny Rowen, Project Manager
Land Use Review

FROM: Marie Genovese, AICP, Planner
Community Planning

SUBJECT: ZMAP 2007-0004, National Conference Center – Second Referral

BACKGROUND

WXIII/Oxford DTC Real Estate LLC is seeking to rezone an approximately 46.63 acre portion of a 112.26 acre parcel of land to PD-H4 (Planned Development – Housing) in order to develop 216 residential units at a density of 4.6 dwelling units per acre. The subject property is located north of Route 7 within the Lansdowne Community, west of Belmont Ridge Middle School and south of the National Conference Center (see Vicinity Map). The subject property contains a fitness center and two surface parking lots, which serve the National Conference Center facilities. The property is currently zoned PD-SA (Planned Development – Special Activity) and is governed under the provisions of the Revised 1993 Zoning Ordinance.



The applicant has responded to Community Planning's first referral dated October 22, 2007. While the applicant has addressed several issues since the first referral such as, density (additional acreage (approximately 0.83 acre) has been incorporated and the number of dwelling units has been reduced from 219 to 216); drainageway and wetland preservation (Proffer VII B provides methods for wetland mitigation); lighting (Proffer VII E pertains to site lighting and the minimization of off-site glare); unmet housing needs

(Proffer V provides a contribution of \$500 per market rate unit for the purpose of assisting qualified owners with a household income of between 0 to 100% of the Washington Area Median Income to purchase homes in Loudoun County); and capital facility impacts (Proffer IV mitigates capital facility impacts associated with the proposed development); several issues remain outstanding from the first referral. These issues should be addressed to ensure that the intent of the Revised General Plan is being met with the proposed project. Staff has outlined the outstanding issues below.

OUTSTANDING ISSUES

A. SITE DESIGN

The Revised General Plan states that Residential Neighborhoods will exhibit the following design characteristics desired by the County:

- Compact site layout to reduce trips within the neighborhood, facilitate alternative forms of transportation, preserve the Green Infrastructure, and result in reduced transportation and utilities infrastructure costs;
 - Pedestrian-scale streetscape including such features as street trees, sidewalks along all street frontage, and street lighting;
 - A predominantly interconnected street pattern with inter-parcel connections;
 - A variety of lot sizes; [and]
 - Energy efficient design and construction principles, promote high performance and sustainable buildings, and minimize construction waste and other negative environmental impacts (Revised General Plan, Policy 4 & Guiding Principles Policy 12, pp. 6-17 & 2-12).
- a. Compact Site Layout: The Concept Development Plan (CDP) shows land bays for residential and open space uses. As currently proposed residential land bays are located within the river and stream corridor resource and steep slope areas. A redesign of the site could facilitate a compact site layout while preserving these environmental resources (See Existing Conditions discussion below).
 - b. Pedestrian-scale Streetscape: A Vehicular and Pedestrian Circulation Map (Sheet 6) has been included with the submission materials. The proposed project does not specify the location of street lighting as called for in the Plan (Revised General Plan, text, p. 11-8). Street trees are shown on Sheet 9, Program & Building Types; however, this sheet is for illustrative purposes only.
 - c. Pedestrian Linkages: Trails and sidewalks have been proposed internal to the development and provide linkages to the National Conference Center to the north and Belmont Ridge Middle School to the west (Vehicular and Pedestrian Circulation Map). The first submission showed a trail connection from the proposed development to the conference center in the north central portion of the subject site, which has been removed. This trail appears to be an existing trail, staff is unsure why this has been removed from the Vehicular and Pedestrian Circulation Map.
 - d. Interconnected Street Pattern with Interparcel Connections: Access to the site is via

Upper Belmont Place. The applicant proposes to retain an existing loop road providing access to the National Conference Center north of the subject site. The applicant is proposing a Zoning Ordinance Modification (ZMOD) to permit commercial traffic to access the National Conference Center through the residential neighborhood. Delivery trucks as well as other vehicular traffic traveling to and from the National Conference Center site will negatively impact the proposed residential neighborhood. The March 6, 2008 response to comments states that additional access to the site would be difficult given the topography, the environmentally sensitive areas on the property and the lack of ownership of the surrounding area (See Transportation discussion below).

- e. Parking: The Plan calls for continuous parallel parking in the street at the front of residential lots for additional cars and visitors (*Revised General Plan, text, p. 11-8*). The March 6, 2008 response to comments provides that Sheet 6 of the CDP provides typical road sections depicting on-street parking for private streets. Staff notes that the typical road sections are provided on Sheet 8, Lotting Details & Typical Road Sections. While the typical road sections do indicate on-street parking for private streets, staff notes that Sheet 8 is for illustrative purposes only.

The Plan also calls for garages to be set back from the front façade of the dwelling to emphasize the pedestrian entrance (*Revised General Plan, text, p. 11-8*). Sheets 8 (Lotting Details & Typical Road Sections) and 9 (Program & Building Types) depict detached garages and rear loaded garages serving the proposed single-family detached and single-family attached units; however, these sheets are for illustrative purposes only.

- f. Variety of Lot Sizes: The proposal is for 50 single-family detached units and 98 single-family attached units, and 68 multi-family units. While it appears that a variety of lot types are being proposed, no information has been provided as to the size of the proposed lots. The March 6, 2008 response to comments points out the Zoning Tabulation Chart provided on Sheet 5 (Tabulation & Requirement Sheet). Staff notes that the information provided on Sheet 5 outlines the minimum lot requirements, but does not provide any information regarding the lot sizes proposed.
- g. Energy Efficient Design and Construction Principles: The March 6, 2008 response to comments provides that a commitment to energy efficient design and construction principles cannot be provided at this time as a homebuilder has not been selected for the site. The applicant does state they will encourage homebuilders to utilize energy efficient design and construction principles at the time of construction

Staff recommends redesigning the site locating development outside of all elements of the river and stream corridor resource and steep slope areas (slopes of greater than 25 percent). Staff further recommends the applicant commit to the following:

- ***location of street trees and street lighting throughout the project;***
- ***on-street parking;***
- ***detached garages and rear loaded garages; and***

- ***a variety of lot sizes.***

Lastly, staff requests information pertaining to the removal of the trail connection linking the proposed residential development with the National Conference Center in the north central portion of the property.

B. TRANSPORTATION

As stated above, the applicant is seeking a ZMOD to permit commercial traffic to access through a residential district. Staff is concerned with the impacts delivery trucks as well as other vehicular traffic traveling to and from the National Conference Center will have on the proposed residential community. The Revised Countywide Transportation Plan (CTP) discourages direct vehicular access between individual residential and commercial lots (*CTP, Policy 5, p. 3-15*). Staff understands the constraints associated with providing alternative access to the National Conference Center, largely the effect of existing development surrounding the subject property, and the obstacles this presents. While infill developments are typically small, less than 25 acres, the existing, established development surrounding the property categorize this application as an infill development. Plan policies call for infill developments to be evaluated based on the relationship of surrounding uses with the proposed infill use, including the transportation network (*Revised General Plan, Policy 1, p. 6-15*). Staff concurs with the Office of Transportation Services (OTS) recommendation to explore alternatives in order to eliminate conference center traffic from utilizing Road B.

The applicant is also seeking a ZMOD to permit more than 79 dwelling units to be served via a single point of access. The applicant proposes to have the entire 216 residential dwelling units served via a single point of access. Staff notes that the conference center as well as Belmont Ridge Middle School are also served by this single point of access. Staff has spoken with Fire, Rescue, and Emergency Management and understands they have concerns with regard to safety associated with the requested modification.

Staff recommends redesigning the site to eliminate conference center traffic from utilizing Road B. Staff defers to OTS and Fire, Rescue, and Emergency Management regarding the transportation and safety issues.

C. LAND USE MIX

1. Public Parks and Open Space

Plan policies state that Residential Neighborhoods will incorporate fully open space at a minimum of 30 percent of the gross acreage of the property, totaling approximately 13.99 acres for the subject property (*Revised General Plan, Policy 3, p. 6-17*). Open space should consist of a mix of active and passive and/or natural areas (*Revised General Plan, Policy 1, p. 6-10*). Open space policies call for 75 percent of the required open space to consist of interior space thus neither required buffer areas nor “leftover spaces” should consist of more than 25 percent of the open space requirement (*Revised General Plan, Policy 3, p. 6-10*). Plan policies also state that while the entire area of the river and stream corridor resources will be protected only 50% of the open

space requirement may be satisfied by this area (*Revised General Plan, Policies 6 & 7, p. 6-11*).

The CDP shows six open space areas and Sheet 5 (Tabulation & Requirement Sheet) outlines the amount of open space being provided. It appears that “leftover spaces” are being counted towards meeting the open space requirement of the land use mix. Staff recommends protection of the river and stream corridor resource in its entirety (See River and Stream Corridor Resource discussion below). Staff has calculated the amount of river and stream corridor resource located on the subject site as approximately 8.8 acres. Land bays O-2, O-3, O-4, and O-6 comprise the interior open space proposed. Proffer IIIA provides that recreational amenities shall include, but not be limited to, tot lots and courtyard and neighborhood green spaces. Staff notes that O-2 consisting of 0.65 acre is encumbered with river and stream corridor resources and steep slopes and therefore, should remain in a natural state. The existing fitness center, located in the eastern portion of the subject site while not located central to the development will also provide recreational amenities for the residents of the community. Proffer IIIA states that the fitness center will be open for use prior to the issuance of the ____th zoning permit. As this is an existing facility it should be available at the first zoning permit. Staff notes that the existing facility is aging and recommends some upgrades to the facility prior to the development of the site. Staff further notes that this facility is also an amenity for the conference center. No information has been provided regarding the sharing of this facility.

Staff recommends revising the CDP to show the types of recreational amenities envisioned for the open space areas to ensure the intent of the Plan is being met. Staff further recommends that the applicant commit to commercial quality equipment for the tot lot. Staff recommends revising the proffer statement to include upgrades to the fitness center and ensuring the facility is available when the first resident moves in to the proposed community. Staff requests information regarding the shared use of the fitness center by the conference center and the residents of the proposed community to ensure the facility will be accessible and sized to adequately meet the needs of both users.

2. Public and Civic Space

Public and civic spaces play an important role in residential neighborhoods by providing a place for residents to meet and hold events and contributing to the community's identity and aesthetics. Public/civic uses should consist of public gathering places, creating a focal point for the community (*Revised General Plan Policy 4d and Glossary, pp. 6-18 & G-2*). The *Revised General Plan* calls for residential neighborhoods to provide public and civic space at a minimum of 10% of the gross acreage of the property, totaling approximately 4.66 acres for the subject site (*Revised General Plan, Policy 2, p. 6-17*). The March 6, 2008 response to comments provides that the existing fitness center located in the eastern portion of the site will provide meeting space for the residents of the community. Staff notes that the existing facility lacks adequate meeting space for the use of the residents of the proposed 216 dwelling units. If meeting space

will be provided by the conference center a formal agreement should be included with the application materials.

Staff recommends revising the CDP to show 4.66 acres of public and civic space.

D. EXISTING CONDITIONS

1. River and Stream Corridor Resources

The subject site contains river and stream corridor resources as defined by the Revised General Plan.

An unnamed tributary to the Potomac River is located in the northern portion of the subject site. The unnamed tributary to the Potomac River; adjoining floodplains; and adjacent steep slopes (slopes 25% or greater within 50 feet of streams and floodplains, extending no farther than 100 feet beyond the originating stream or floodplain), along with the 50-foot management buffer surrounding the adjacent steep slopes, as called for in the Revised General Plan together constitute the river and stream corridor resource (Revised General Plan, Policy 2, p. 5-6). The river and stream corridor resource has been incorrectly delineated on the submitted plats. It does not appear that all of the steep slopes (slopes 25% or greater) within 50 feet of the floodplain on the subject site as well as the 50-foot management buffer surrounding these steep slope areas have been incorporated into the river and stream corridor resource. It appears that portions of land bays A-1, A-7, and A-8 are located within the river and stream corridor resource.

Staff recommends revising the submitted plats to include all the elements of the river and stream corridor resources as called for in the Plan. Staff recommends redesigning the site locating development outside of the river and stream corridor resources (see also Steep Slopes discussion below). Staff defers to the department of Parks, Recreation, and Community Services regarding dedication of the river and stream corridor resource for a passive linear park.

2. Stormwater Management

Plan policies call for “appropriate standards to protect natural streams from the harmful effects of increased stormwater volume and velocity resulting from development” (Revised General Plan, Policy 5, p. 5-17). Furthermore, the County promotes water conservation through low impact development techniques (Revised General Plan, Policy 2, p. 5-17). LID uses natural vegetation and small-scale treatment systems to treat and infiltrate rainfall close to the source. LID's goal is to mimic a site's predevelopment hydrology by using design techniques that infiltrate, filter, store, evaporate, and detain stormwater runoff. LID locates water quality measures at the closest possible proximity to proposed impervious areas. Staff notes the two stormwater management/BMP ponds shown on the previous submission north of the subject site have been removed from this submission. Since these ponds have been removed from the CDP staff is unsure how stormwater runoff is being handled for the proposed project. Proffer VIIC states that the applicant will design and construct stormwater management facilities on the property utilizing LID measures subject to engineering feasibility and if required by the Facilities Standards Manual (FSM) at the

time of zoning approval. Staff notes that the FSM does not currently require LID measures.

Staff requests information pertaining to stormwater runoff. Given that surface water from the proposed neighborhood will eventually drain into the Potomac River, staff recommends the applicant commit to measures that can treat the quality of the water near proposed impervious areas using LID techniques.

3. Steep Slopes

Improper use and disturbance of steep slope areas could cause erosion, building and/or road failure, downstream flooding, and other hazards (*Revised General Plan, text, p. 5-26*). Steep slopes, those areas with slopes of greater than 25 percent and moderately steep slopes, those areas with a 15 to 25 percent grade are located on the subject site. Steep slopes have been delineated on the Illustrative Land Use Map Over Existing Conditions (Sheet 7); however moderately steep slopes have not been delineated. Steep slope areas are located within land bays A-1 and A-8. Plan policies prohibit land disturbances on slopes with a grade of more than 25 percent (*Revised General Plan, Policy 1, p. 5-26*). It also appears that development is proposed on moderately steep slope areas. Plan policies call for the protection of slopes with grades from 15 to 25 percent. The Plan identifies strategies to achieve this to include “best management practices, reduced locational clearances for clearing and grading, and retention of natural drainageways” (*Revised General Plan, Policy 3, p. 5-26*).

Staff recommends redesigning the site locating development outside of steep slope areas (see also River and Stream Corridor Resource discussion above). Staff recommends revising the submitted plats, delineating moderately steep slope areas and committing to best management practices and reduced locational clearances for clearing and grading on moderately steep slopes. Staff also recommends the applicant commit to measures to be taken on residential lots to minimize forest clearing. Homeowners’ association documents should include a discussion of the potentially adverse effects of residential fertilizers, herbicides, pesticides, and animal wastes on water quality.

4. Forests, Trees, and Vegetation

The Plan states that the County’s forests and trees improve air and water quality, offer important habitat for wildlife, are excellent buffers between communities, conserve energy, reduce wind speed and redirect airflow, reduce stormwater runoff and soil erosion, and can increase real property values (*Revised General Plan, text, p. 5-32*). The CDP has been revised to show Tree Conservation Areas (TCAs) in the northern portion of the subject site within portions of land bay O-1. Staff notes the Forest Management Plan & Cover Type Map dated June 22, 2007 included with the first submittal depicts additional areas of existing tree cover within open space land bays that could be preserved. As the site contains a considerable amount of high quality mixed hardwoods, staff recommends preserving the existing tree cover within open space areas. In addition, the Forest Management Plan and Cover Type Map identified

twenty potential specimen trees on the subject site; however, their locations have not been delineated on the Existing Conditions Map.

Staff recommends delineating potential specimen trees on the Existing Conditions Map and incorporating into the design of the site. Staff recommends expanding the TCAs to correspond with open space land bays primarily within the river and stream corridor resources and steep slope areas.

F. ZONING MODIFICATIONS

The applicant seeks to modify the Zoning Ordinance to allow:

- a. An increase in the building height for multi-family units from 55 feet to 60 feet;
- b. A reduction in the front, side, and rear yard setbacks to 10 feet, 5 feet, and 15 feet respectively;
- c. An increase in the lot coverage from 60 percent to 80 percent;
- d. A reduction in the lot width from 50 feet for single-family detached dwellings and 40 feet for duplex dwellings to 35 feet;
- e. Commercial traffic to access through a residential district;
- f. Private streets to serve single-family detached and single-family attached duplex units;
- g. More than 79 units to be served via a single point of access;
- h. The elimination of the buffer yard between all residential land bays internal to the property;
- i. A reduction in the yards adjacent to roads from 100 feet to 25 feet for the guardhouse and associated facilities;
- j. A reduction in the setback from street rights-of-way or private access easements for non-habitable, one-story accessory structures from 25 feet at the side of the lot to 5 feet to permit detached garages; and
- k. A reduction in the perimeter buffer yard from 50 feet to 10 feet adjacent to the existing fitness facility.

As stated previously, one of the foremost issues with the proposed residential development is transportation. Staff has serious concerns regarding the impacts of commercial traffic on the proposed residential neighborhood as well as the safety issues associated with 216 residential dwelling units, the conference center, and Belmont Ridge Middle School traffic all utilizing a single point of access.

For the above reasons, staff does not support the following Zoning Ordinance Modifications:

- ***The provision of vehicular traffic associated with the National Conference Center to access the site through the proposed residential community and***
- ***More than 79 units to be served via a single point of access.***

G. OPEN SPACE PROGRAM

To achieve higher density housing, "the Board of Supervisors anticipates evidence of participation in the Open Space Preservation Program". The County anticipates that cash donations for open space will be spent in the Suburban Community in which the

increased density is granted” (*Revised General Plan, Policy 3, p. 11-3*). Contributions should be provided to enable the County to purchase Suburban Policy Area open space to offset the density proposed by the development. In the past, the Board has historically accepted \$3,800 - \$5,000 per easement.

If easements are priced at \$3,800 to \$5,000 per easement, the open space contribution for 28.80 easements for the proposed application would range from \$109,421 to \$143,975 (Attachment 1). However, this amount does not seem reasonable given current market values and with the goal of purchase of open space in the Ashburn Community. Proffer IVB provides \$250 per market rate unit totaling \$48,000. The March 6, 2008 response to staff’s comments provides that residential developments above 4.0 dwelling units per acre are to be calculated at 0.05 easements in lieu of 1.0 easement for every dwelling unit above the base density. Plan policies call for 0.05 easements in High-Density Residential areas with densities above 4.0 dwelling units per acre (*Revised General Plan, Policy 3b, p. 11-3*). While the density of the proposed project is greater than 4.0 dwelling units per acre the project is in a planned Residential Neighborhood not High Density Residential Neighborhood and therefore is subject to Policy 3a, which calls for 1.0 easement for every dwelling unit above the base density (*Revised General Plan, Policy 3a, p. 11-3*).

Staff recommends the application contribute land or provide an open space easement contribution equivalent to the cost of purchasing open space in the Ashburn Community.

RECOMMENDATIONS

Community Planning is unable to support the application. As currently proposed the application has serious transportation issues with regards to commercial traffic associated with the conference center traveling through the proposed residential neighborhood and safety issues with regards to the entire 216 dwelling units as well as the conference center and Belmont Ridge Middle School all being served via one point of access. As stated above, staff cannot support the requested zoning modifications to permit commercial traffic to access through a residential district and more than 79 dwelling units to be served via a single point of access.

If the above transportation issues are resolved, staff further recommends redesigning the site, locating development outside of the river and stream corridor resource and steep slope areas. The existing fitness center located in the eastern portion of the subject site is currently proposed as serving open space and civic needs of the proposed community. Staff notes that while the existing facility will provide active recreation space for the residents of the community the center will not meet the definition of civic space as called for in the Plan. Information should be included detailing how the fitness center will be used by both the residents of the proposed community and guests of the conference center.

In addition, staff recommends the following:

- Location of street trees and lighting;

- On-street parking;
- A commitment to detached and rear loaded garages;
- Variety of lot sizes;
- Location of recreational facilities;
- A commitment to commercial quality equipment;
- A commitment to upgrade the existing fitness center;
- Availability of the fitness center when the first resident moves in to the community;
- 5% civic space;
- Information pertaining to stormwater runoff;
- LID techniques;
- Delineation of moderately steep slopes and commitment to best management practices and reduced locational clearances for clearing and grading on moderately steep slopes;
- Delineation of potential specimen trees and incorporating these trees into the design of the site; and
- Expand Tree Conservation Areas to include all existing vegetation within open space land bays primarily within the river and stream corridor resource and steep slope areas.

Staff also recommends that open space impacts of the proposed development be mitigated.

Staff is available to meet with the applicant to discuss any comments or questions.

ATTACHMENTS

Attachment 1: **Open Space Preservation Program Analysis**

cc: Julie Pastor, AICP, Planning Director
Cindy Keegan, AICP, Community Planning Program Manager via e-mail

County of Loudoun
Department of Planning
MEMORANDUM

DATE: October 22, 2007

TO: Ginny Rowen, Project Manager
Land Use Review

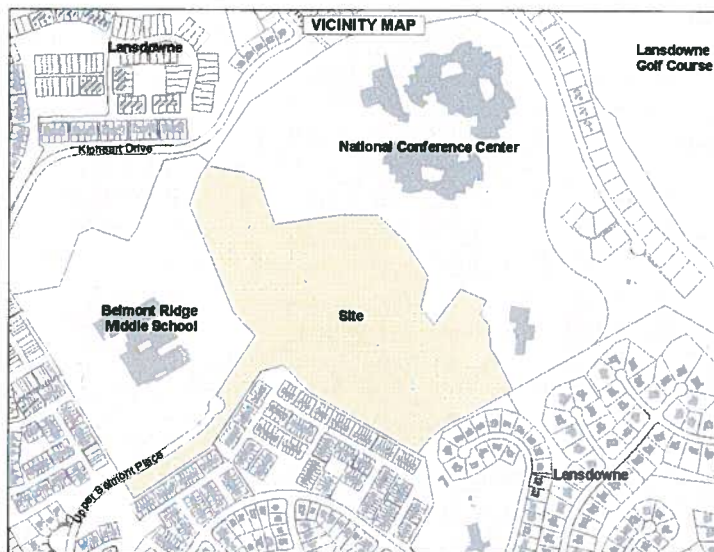
FROM: Marie Genovese, AICP, Planner
Community Planning

SUBJECT: ZMAP 2007-0004, National Conference Center

BACKGROUND

WXIII/Oxford DTC Real Estate LLC is seeking to rezone an approximately 45.8 acre portion of a 112.26 acre parcel of land to PD-H4 (Planned Development – Housing) in order to develop 219 residential units at a density of 4.8 dwelling units per acre. The subject property is located north of Route 7 within the Lansdowne Community, west of Belmont Ridge Middle School and south of the National Conference Center (see Vicinity Map). The subject property contains two surface parking lots, which serve the National

Conference Center facilities. The property is currently zoned PD-SA (Planned Development – Special Activity) and is governed under the provisions of the Revised 1993 Zoning Ordinance.



A review of County's GIS records indicates river and stream corridor resources, drainageways, steep slopes, hydric soils, and tree cover are located on the subject site.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The property is located in the Ashburn Community of the Suburban Policy Area and is specifically governed by the Revised General Plan and Revised Countywide Transportation Plan (CTP) as adopted July 23, 2001, as well as the Dulles North Area Management Plan (DNAMP). Being the newer of the two plans, the Revised General Plan supersedes the DNAMP when there is a policy conflict between the two (Revised General Plan, text, page 1-3). The policies of the Loudoun County Bicycle and Pedestrian Mobility Master Plan (Bike/Ped Plan) also apply.

ANALYSIS

A. LAND USE

The Revised General Plan identifies the subject site as suitable for Residential uses (Revised General Plan, Planned Land Use Map, p. 7-23). The County may permit rezonings up to 4 dwelling units per acre in Residential Neighborhoods (Revised General Plan, Policy 2, p. 6-17). The applicant seeks to develop 219 residential units on the subject site at 4.8 dwelling units per acre; 50 single-family detached units and 169 single-family attached with the option to develop up to 60 multi-family units in lieu of the single-family attached units. Article 7-103 of the Revised 1993 Zoning Ordinance permits a density bonus of 20 percent for single-family detached and single-family attached dwelling units and 10 percent for multi-family units when Affordable Dwelling Units (ADUs) are provided. It appears the applicant is seeking a 20 percent density bonus over the entire site. Since the applicant is seeking maximum flexibility with the types of units provided, staff cannot support a 20 percent density bonus over the portion of the site that may develop with multi-family dwelling units.

Staff recommends the applicant provide information pertaining to the possible location of the 60 multi-family dwelling units and the associated acreage to determine the maximum number of dwelling units permitted. As currently proposed, 219 dwelling units at 4.8 dwelling units per acre exceeds the density as called for by the Plan.

B. SITE DESIGN

The Revised General Plan states that Residential Neighborhoods will exhibit the following design characteristics desired by the County:

- Compact site layout to reduce trips within the neighborhood, facilitate alternative forms of transportation, preserve the Green Infrastructure, and result in reduced transportation and utilities infrastructure costs;
- Pedestrian-scale streetscape including such features as street trees, sidewalks along all street frontage, and street lighting;
- A predominantly interconnected street pattern with inter-parcel connections;
- A variety of lot sizes; [and]

- Energy efficient design and construction principles, promote high performance and sustainable buildings, and minimize construction waste and other negative environmental impacts (Revised General Plan, Policy 4 & Guiding Principles Policy 12, pp. 6-17 & 2-12).
- a. Compact Site Layout: The Concept Development Plan (CDP) shows land bays for residential and open space uses. While the proposed layout preserves some Green Infrastructure elements it appears that a redesign of the site could facilitate a compact site layout while preserving additional environmental resources (See Existing Conditions discussion below).
- b. Pedestrian-scale Streetscape: A Traffic Circulation Map (Sheet 6) has been included with the submission materials. The proposed project does not specify the location of street trees or street lighting as called for in the Plan (Revised General Plan, text, p. 11-8).
- c. Pedestrian Linkages: Trails and sidewalks have been proposed internal to the development and provide linkages to the National Conference Center to the north and Belmont Ridge Middle School to the west (Traffic Circulation Map); however, sidewalks are not proposed on both sides of Road A as called for in the Bicycle and Pedestrian Mobility Master Plan (Bicycle and Pedestrian Mobility Master Plan, Policy 2a, p. 31). It is important to provide pedestrian access on both sides of Road A as it provides critical linkage between the proposed development and the school site. No information has been provided regarding the width of the proposed trail.
- d. Interconnected Street Pattern with Interparcel Connections: Access to the site is via Upper Belmont Place. The applicant proposes to retain an existing loop road providing access to the National Conference Center north of the subject site. As currently proposed, this is the only access to the National Conference Center. The applicant is proposing a Zoning Ordinance Modification to permit commercial traffic to access the National Conference Center through the residential neighborhood. Delivery trucks as well as other vehicular traffic traveling to and from the National Conference Center site will negatively impact the proposed residential neighborhood.

Landbays A-1 and A-2 are proposed in the northwest portion of the subject site across the floodplain from the rest of the development. A redesign of the site could provide a more interconnected street pattern.
- e. Parking: The submitted plans do not indicate any on-street parking. On-street parking would provide additional space for residents' cars and visitors (Revised General Plan, text, p. 11-8). Elevations have not been provided for the proposed single-family detached and attached housing to determine if garages are recessed as called for in the Plan (Revised General Plan, text, p. 11-8).
- f. Variety of Lot Sizes: The proposal is for 50 single-family detached units and 169 single-family attached units, with the option to develop up to 60 multi-family units in lieu of the single-family attached units. While it appears that a variety of lot types are being proposed, no information has been provided as to the size of the proposed

lots.

- g. Energy Efficient Design and Construction Principles: The applicant does not provide any information pertaining to energy efficient design and construction principles.

Staff recommends redesigning the site to create a compact site layout with interconnected streets. This could be achieved by relocating landbays A-1 and A-2 to an area south of the floodplain. Furthermore, additional access to the National Conference Center site needs to be provided in order to remove the conflicts associated with through traffic. Staff recommends that the proposed plans specify the location of street trees and street lighting throughout the project. Staff additionally recommends providing sidewalks on both sides of all streets consistent with the Bike/Ped Plan. Staff requests information pertaining to the width and materials proposed for the trail. Trails located within the river and stream corridor resource should consist of a permeable material. Staff further recommends on-street parking and a commitment to recessed garages thereby emphasizing the pedestrian entrance. Staff requests information regarding lot sizes be submitted for review. Lastly, staff recommends a commitment to energy efficient design and construction principles.

C. LAND USE MIX

The land use mix (measured as a percentage of the land area) in a Residential Neighborhood generally will comply with the following ratios (Revised General Plan, Policy 2, pg. 6-17):

	Minimum Required	Maximum Permitted
a. Residential*:	30%	60%
b. Office & Light Industrial:	0%	20%
c. Public & Civic:	10%	No maximum
d. Public Parks & Open Space:	30%	No maximum

* Retail Policy guidance provided in Countywide Retail Plan

1. Public Parks and Open Space

Plan policies state that Residential Neighborhoods will incorporate fully open space at a minimum of 30 percent of the gross acreage of the property, totaling approximately 13.74 acres for the subject property (Revised General Plan, Policy 3, p. 6-17). Open space should consist of a mix of active and passive and/or natural areas (Revised General Plan, Policy 1, p. 6-10). Open space policies call for 75 percent of the required open space to consist of interior space thus neither required buffer areas nor "leftover spaces" should consist of more than 25 percent of the open space requirement (Revised General Plan, Policy 3, p. 6-10). Plan policies also state that while the entire area of the river and stream corridor resources will be protected only 50% of the open space requirement may be satisfied by this area (Revised General Plan, Policies 6 & 7, p. 6-11).

The CDP shows five open space areas and Sheet 5 (Tabulation & Requirement Sheet) outlines the amount of open space being provided. It appears that "leftover spaces" are being counted towards meeting the open space requirement of the land use mix. Staff recommends protection of the river and stream corridor resource in its entirety (See River and Stream Corridor Resource discussion below). Staff has calculated the amount of river and stream corridor resource located on the subject site as approximately 4.7 acres. Landbay O-4 consisting of 0.7 acres is the only interior open space being provided. No information has been provided as to the amenities envisioned for landbay O-4. The Revised General Plan provides policy guidance as to the types of open space that will be considered as fulfilling the open space ratio of the land use mix (Revised General Plan, Policy 9, p. 6-11). It does not appear that active open space is being provided with the proposed application.

Staff has calculated the amount of open space provided that could meet the Plan's intent as approximately 8.84 acres (this calculation was determined based on the entire river and stream corridor resource being protected and landbay O-4 containing facilities that fulfill the open space requirement). Staff recommends relocating the eleven dwelling units located in landbays A-1 and A-2 and designating this area as open space.

The applicant is seeking a Zoning Ordinance Modification (ZMOD) to permit the use of offsite amenities to count towards meeting the open space and active recreation requirements. Staff cannot support this modification as the Plan specifically states that Residential Neighborhoods will incorporate the full amount of open space. Furthermore, neighborhood parks, squares and greens should be located within 1500 feet of all residences (Revised General Plan, Policy 4d, p. 6-18).

Staff recommends revising the CDP to show 13.74 acres of open space, 10.31 acres of which should be interior open space. Staff requests information regarding the types of facilities proposed and the size of the facilities to ensure the intent of the Plan is being met.

2. Public and Civic Space

Public and civic spaces play an important role in residential neighborhoods by providing a place for residents to meet and hold events and contributing to the community's identity and aesthetics. Public/civic uses should consist of public gathering places, creating a focal point for the community (Revised General Plan Policy 4d and Glossary, pp. 6-18 & G-2). The Revised General Plan calls for residential neighborhoods to provide public and civic space at a minimum of 10% of the gross acreage of the property, totaling approximately 4.58 acres for the subject site (Revised General Plan, Policy 2, p. 6-17). It does not appear that the application has included public and civic space with the proposal.

It is also important to note that "for properties up to 50 acres outside of Keynote Employment designations, the land-use mix attributed to the various land uses may not be achievable due to the small size of the parcel. In such case, an applicant for

rezoning may vary from the land-use mix specified in the Plan by showing that an alternative is more appropriate to the specific site. This can be accomplished by providing the County with a survey of land uses within a 1,500-foot radius of the site" (Revised General Plan, Policy 8, p. 6-7). A survey of land uses within a 1,500 radius of the site has not been included with the application materials. Staff notes that Belmont Ridge Middle School is located west of the subject site. However, given the size of the site (45.8 acres) as well as the proposed density (4.8 dwelling units per acre), there is a significant need for the community to have public/civic space located on site.

Staff recommends revising the CDP to show 4.58 acres of public and civic space.

D. EXISTING CONDITIONS

1. River and Stream Corridor Resources

The subject site contains river and stream corridor resources as defined by the Revised General Plan.

An unnamed tributary to the Potomac River is located in the northern portion of the subject site. The unnamed tributary to the Potomac River; adjoining floodplains; and adjacent steep slopes (slopes 25% or greater) within 50 feet of streams and floodplains, extending no farther than 100 feet beyond the originating stream or floodplain, along with the 50-foot management buffer surrounding the adjacent steep slopes, as called for in the Revised General Plan together constitute the river and stream corridor resource (Revised General Plan, Policy 2, p. 5-6). The Plan's intent for the 50-foot management buffer is to serve as protection for the river and stream corridor elements from upland disturbances and adjacent development (Revised General Plan, Policy 4, p. 5-6). However, the 50-foot management buffer can be reduced if it can be shown that a reduction does not adversely impact the stream corridor elements, and that performance standards and criteria are met and maintained (Revised General Plan, Policy 5, p. 5-6). The 50-foot management buffer has not been delineated on the submitted plat. It appears that development is being proposed within the 50-foot management buffer.

The Traffic Circulation Map (Sheet 6) shows a trail within the river and stream corridor resource. The Plan calls for paths and trails within the river and stream corridor resource to consist of a permeable material only (Revised General Plan, Policy 18g, p. 5-10).

Staff recommends revising the submitted plats to include all the elements of the river and stream corridor resources as called for in the Plan. Staff recommends redesigning the site locating development outside of the river and stream corridor resources. Staff further recommends the applicant commit to permeable materials for trails located within the river and stream corridor resource. Staff defers to the department of Parks, Recreation, and Community Services regarding dedication of the river and stream corridor resource for a passive linear park.

2. Surface Water

The Plan identifies that one major water resource issue for the County is the protection of surface water (i.e. streams and wetlands) from contamination and pollution (Revised General Plan, text, p. 5-12). The Plan calls for a site design that preserves natural drainage features to the greatest extent possible, minimizing the creation of new impervious areas (Revised General Plan, Policy 16, p. 5-18).

The subject site contains drainageways and hydric soils, one of three wetland indicators as defined by the U.S. Army Corps of Engineers 1987 Wetland Delineation Manual. A Wetland Delineation Report has not been included with the application materials. It is important to identify all of the site's existing conditions at the early stages of application review to determine appropriate areas for development. It appears that the proposed design of the site will impact drainageways. No information has been provided regarding mitigation of these resources.

Staff recommends the identification of wetlands on site. Staff further recommends drainageways and wetlands be preserved to the greatest extent possible. Staff requests information pertaining to the preservation and mitigation of these resources. If the disturbance of some of these features cannot be avoided, staff recommends on-site mitigation as a first priority or within the same Community of the Suburban Policy Area.

3. Stormwater Management

Plan policies call for "appropriate standards to protect natural streams from the harmful effects of increased stormwater volume and velocity resulting from development" (Revised General Plan, Policy 5, p. 5-17). Furthermore, the County promotes water conservation through low impact development techniques (Revised General Plan, Policy 2, p. 5-17). LID uses natural vegetation and small-scale treatment systems to treat and infiltrate rainfall close to the source. LID's goal is to mimic a site's predevelopment hydrology by using design techniques that infiltrate, filter, store, evaporate, and detain stormwater runoff. LID locates water quality measures at the closest possible proximity to proposed impervious areas. Two stormwater management/BMP ponds are shown on the CDP north of the subject site. Both ponds are located within the river and stream corridor resource, which is permitted by Plan policies subject to best management practice requirements (Revised General Plan, Policy 18c, p. 5-10). However, the eastern pond also appears to be located on steep slopes, which is not permitted by Plan policies (Revised General Plan, Policy 1, p. 5-26). No information has been provided regarding low impact development techniques for the proposed development.

Staff recommends relocating the eastern stormwater management pond to an area outside of steep slopes. Given that surface water from the proposed neighborhood will eventually drain into the Potomac River, staff encourages the applicant to consider measures that can treat the quality of the water near proposed impervious areas using LID techniques.

4. Steep Slopes

Improper use and disturbance of steep slope areas could cause erosion, building and/or road failure, downstream flooding, and other hazards (*Revised General Plan, text, p. 5-26*). Steep slopes, those areas with slopes of greater than 25 percent and moderately steep slopes, those areas with a 15 to 25 percent grade are located on the subject site. Steep slopes have been delineated on the Existing Conditions & Rezoning Plat (Sheet 2); however moderately steep slopes have not been delineated. It appears that development is proposed on both steep and moderately steep slope areas. Plan policies prohibit land disturbances on slopes with a grade of more than 25 percent (*Revised General Plan, Policy 1, p. 5-26*). Plan policies call for the protection of slopes with grades from 15 to 25 percent. The Plan identifies strategies to achieve this to include "best management practices, reduced locational clearances for clearing and grading, and retention of natural drainageways" (*Revised General Plan, Policy 3, p. 5-26*).

Staff recommends revising the CDP, locating development outside of steep slope areas. Staff recommends the applicant commit to best management practices and reduced locational clearances for clearing and grading on moderately steep slopes. Staff also recommends the applicant commit to measures to be taken on residential lots to minimize forest clearing. Homeowners' association documents should include a discussion of the potentially adverse effects of residential fertilizers, herbicides, pesticides, and animal wastes on water quality.

5. Forests, Trees, and Vegetation

The Plan states that the County's forests and trees improve air and water quality, offer important habitat for wildlife, are excellent buffers between communities, conserve energy, reduce wind speed and redirect airflow, reduce stormwater runoff and soil erosion, and can increase real property values (*Revised General Plan, text, p. 5-32*). A tree conservation or forest management plan will be required for all land development. The tree conservation or forest management plan will demonstrate a management strategy for designated tree save areas (*Revised General Plan, Policy 3, p. 5-32*).

The application has included a Forest Management Plan & Cover Type Map dated June 22, 2007. The site contains a considerable amount of high quality mixed hardwoods. Twenty potential specimen trees were identified on the subject site; however, there locations have not been delineated on the Existing Conditions Map. Furthermore, Tree Conservation Areas (TCAs) have not been delineated on the CDP. Staff recommends preserving the existing tree cover within landbays A-1 and A-2 as well as within the river and stream corridor resource and steep slope areas (See Open Space discussion above).

Staff recommends delineating potential specimen trees on the Existing Conditions Map and incorporating into the design of the site. Staff recommends relocating the eleven homes proposed for landbays A-1 and A-2 and designating this area as a TCA. Staff further recommends designating the river and stream

corridor resource and steep slope areas as TCAs. Staff defers to the ERT regarding preservation techniques for the designated tree conservation area.

6. Historic and Archaeological Resources

All land development applications will be required to submit an archaeological and historic resources survey (Revised General Plan, Policy 11, p. 5-36). The applicant has submitted a Phase 1 Archeological Survey dated December 2004. Staff's review of the submitted report will be sent under separate cover.

7. Lighting

The Plan states that the beauty of the County's night sky is threatened by excessive and improper lighting. It promotes the use of lighting for convenience and safety without nuisance associated with light pollution (Revised General Plan, Policy 1, p. 5-41 and Text, p. 5-42). No information regarding lighting has been provided.

Staff requests a description of any proposed roadway lighting and lighting of common areas to assess conformance with Plan policies. Staff recommends including language that lighting shall be shielded to direct light downward and will be fully cut-off to ensure that off-site glare will be at a minimum.

E. AFFORDABLE HOUSING/UNMET HOUSING NEEDS

It is the Plan's intent that affordable housing be dispersed throughout the development to maximize choice and avoid the segregation of affordable units (Revised General Plan, Policies 2 & 3, p. 2-14). The applicant proposes 219 dwelling units, 50 single-family detached and 169 single-family detached with the option to develop 60 multi-family units in lieu of the single-family attached units. Depending on the development option, the applicant proposes 27 or 24 Affordable Dwelling Units (ADUs). The applicant has not provided any information pertaining to the number of ADUs proposed within each housing type.

On September 18, 2007, the Board of Supervisors adopted revised housing policies with particular attention to unmet housing needs of households earning up to 100% of the Washington Metropolitan Area Median Income (AMI, \$94,500 for 2007), that being the area of greatest need in the County (Revised General Plan, Guiding Principles Policy 2, p. 2-12). Policies also recognize that the largest segment of unmet need is housing for incomes below 30% AMI (Revised General Plan, Guiding Principles Policy 14, p. 2-12). To help meet these needs, developers of residential and mixed-use projects should include funding commitments and proffers to fulfill unmet housing needs in their development proposals (Revised General Plan, Funding Policy 1, p. 2-12).

Staff recommends that ADUs be provided that are of various unit types and are dispersed throughout the community. Staff further recommends that in addition

to ADUs, the applicant provide a commitment that addresses the full spectrum of unmet housing needs up to 100 percent of the AMI.

F. ZONING MODIFICATIONS

The applicant seeks to modify the Zoning Ordinance to allow:

- a. An increase in the building height for multi-family units from 55 feet to 60 feet;
- b. A reduction in the front, side, and rear yard setbacks to 10 feet, 5 feet, and 15 feet respectively;
- c. An increase in the lot coverage from 60 percent to 80 percent;
- d. Offsite active recreation and open space;
- e. A reduction in the setback from road right-of-way from 25 feet to 10 feet;
- f. A reduction in the lot width from 40 feet to 35 feet;
- g. Commercial traffic to access through a residential district;
- h. A reduction in the yard requirements between commercial and residential districts from 100 feet to 25 feet;
- i. Private streets to serve single-family detached, single-family attached, and multi-family dwelling units; and
- j. More than 79 units to be served via a single point of access.

As stated above, staff cannot support offsite active recreation and open space. The Plan specifically states that residential neighborhoods will incorporate a minimum of 30 percent of the gross acreage of the property as open space consisting of a mix of active and passive and/or natural areas (*Revised General Plan, Policies 1 & 3 pp. 6-10 & 6-17*). Furthermore, the Plan calls for neighborhood parks, squares and greens to be located within 1500 feet of all residences (*Revised General Plan, Policy 4d, p. 6-18*).

Permitting commercial traffic to access the National Conference Center through the proposed residential community could create conflicts. The associated noise as well as the size and number of the vehicles traveling to the National Conference Center through the residential neighborhood will impact the proposed residential community.

The applicant is also seeking a reduction in the yard requirements between commercial and residential districts from 100 feet to 25 feet. The justification for this modification provides the applicant is "willing to enhance areas reserved for parking, outdoor storage, collection of refuse, and loading through use of a landscape program". The submitted plats do not show where this modification applies. Furthermore, a landscape plan has not been included with the application materials.

For the above reasons, staff does not support the following Zoning Ordinance Modifications:

- ***The use of offsite active recreation and open space to satisfy the minimum required active recreation and open space and***
- ***The provision of vehicular traffic associated with the National Conference Center to access the site through the proposed residential community.***

Staff recommends revising the CDP to outline where the reduction in yard requirements between commercial and residential districts is being requested. Staff requests the landscape plan be submitted for staff's review.

G. CAPITAL FACILITIES

Under the Revised General Plan, all residential rezoning requests will be evaluated in accordance with the Capital Facility policies of the Plan (Revised General Plan, Policy 3, p. 3-5). The Revised General Plan calls for capital facilities contributions valued at 100 percent of capital facility costs per dwelling unit at densities above the specified base density (Revised General Plan, Policy 1, p. 11-1). The base density is defined as 1.0 dwelling unit per acre or a base density equivalent to the density requirements contained in the existing zoning district regulations applicable to the property and in effect at the time of application; whichever is lower (Revised General Plan, Policy 4c, p. 11-2).

Capital facility impacts have been calculated for the proposed application including the costs associated with the provision of safety, government, recreation, and education services, etc. The capital facilities impact of the proposed development is \$6,559,628 (see Attachment 1).

Staff recommends that the impacts of the proposed development be mitigated.

H. OPEN SPACE PROGRAM

To achieve higher density housing, "the Board of Supervisors anticipates evidence of participation in the Open Space Preservation Program". The County anticipates that cash donations for open space will be spent in the Suburban Community in which the increased density is granted" (Revised General Plan, Policy 3, p. 11-3). Contributions should be provided to enable the County to purchase Suburban Policy Area open space to offset the density proposed by the development. In the past, the Board has historically accepted \$3,800 - \$5,000 per easement.

If easements are priced at \$3,800 to \$5,000 per easement, the open space contribution for 58.7 easements for the proposed application would range from \$223,060 to \$293,500 (Attachment 2). However, this amount does not seem reasonable given current market values and with the goal of purchase of open space in the Ashburn Community.

Staff recommends the application contribute land or provide an open space easement contribution equivalent to the cost of purchasing open space in the Ashburn Community.

RECOMMENDATIONS

Community Planning is unable to support the application, as the proposed density exceeds Plan policy. The proposed application should provide information pertaining to

the location of the potential multi-family dwelling units as well as the associated acreage to determine the maximum number of dwelling units permitted under Plan policy. In addition, staff cannot support the requested modifications to the Zoning Ordinance to permit the use of offsite active recreation and open space as well as commercial traffic to access through a residential district. The applicant should provide approximately 30 percent parks and open space on site consisting of a mix of active and passive and/or natural areas. The applicant should also provide an additional access point to the National Conference Center, eliminating the potential vehicular conflicts with the proposed residential community.

In addition, staff recommends the following:

- Compact site layout with interconnected streets;
- Relocation of dwelling units located within landbays A-1 and A-2, retaining this area as open space;
- Location of street trees and lighting;
- Sidewalks on both sides of all streets;
- Permeable trails within the river and stream corridor resource;
- On-street parking;
- Recessed garages;
- Variety of lot sizes;
- Energy efficient design and construction principles;
- 5% civic space;
- Preservation and protection of environmental resources;
- Delineation of wetlands;
- LID techniques;
- A commitment to lighting that is directed downward and shielded to eliminate glare and light trespass;
- Variety of ADUs dispersed throughout the community; and
- Provide for unmet housing needs up to 100 percent of the AMI.

Staff also recommends that the capital facility and open space impacts of the proposed development be mitigated.

Staff is available to meet with the applicant to discuss any comments or questions.

ATTACHMENTS

- Attachment 1: **Capital Facilities Impact Analysis**
Attachment 2: **Open Space Preservation Program Analysis**

cc: Julie Pastor, AICP, Planning Director
Cindy Keegan, AICP, Community Planning Program Manager

COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
ZONING ADMINISTRATION REFERRAL

DATE: June 11, 2009

TO: Ginny Rowen, Project Manager, Department of Planning

FROM: Rory L. Toth, Planner, Zoning Administration

CASE NUMBER & NAME: ZMAP-2007-0004 National Conference Center 4th Submission

TAX MAP/PARCEL NUMBER (MCPI): /50/////////4/ 081-36-9067

Staff has reviewed the referenced revised zoning map amendment (**ZMAP**) application to include the Applicant's Response Letter dated April 27, 2009, Statement of Justification (SOJ) revised through March 25, 2009, Exhibit C entitled PlayWorld Landsdowne Proffer dated March 3, 2009, Exhibit D entitled Landsdowne Conference Center dated April 2009, Proffer Statement dated April 13, 2009 and Concept Development Plan (CDP) dated July 2007, revised through April 27, 2009. The property is currently zoned Planned Development-Special Activity (PD-SA) under the Revised 1993 Loudoun County Zoning Ordinance (Zoning Ordinance). The Applicant is requesting to rezone approximately 45.61 acres of the 112.26 acre parcel from the PD-SA zoning district to Planned Development-Housing (PD-H4), administered as R-8 (Single Family Residential) and R-16 (Townhouse/Multifamily Residential, under the ADU (Affordable Dwelling Unit) option to permit the construction of 212 total units.

Staff notes that this application will change the acreage, landbay tabulations, tables and layout of PD-SA zoned land on the Lansdowne zoning map amendment (ZMAP-1994-0001) and its subsequent ZCPAs. In addition, this application proposes a second connection off-site through an open space parcel owned by the Board of Supervisors.

A. ZONING ORDINANCE COMMENTS

1. Staff notes that the proffers, CDP and SOJ state that the Applicant proposes to rezone approximately 45.61 acres from PD-SA to PD-H4. Staff notes that an area identified as Landbay O-6 has been added at 4th submission to be rezoned from PD-SA to PDH4 and the proposed PD-H4 boundary has changed from previous submissions. Staff notes that the amount of acres to be rezoned as referenced in the proffers, CDP and SOJ from previous referrals has not changed. Confirm that the application still proposes to rezone 45.61 acres to PDH4 and, if necessary, revise the SOJ, proffers and CDP and all the tabulations and tables shown therein to reflect the new acreage.
2. **Section 3-507(G). Minimum Buffer.** Staff notes that the Applicant has requested a zoning modification of this section on Page 11 of their SOJ and in their draft proffer statement. However, this modification request is not listed in the Zoning Modification

Attachment 1 B

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Table on Sheet 6 of the CDP. Clarify these issues and revise the plat, SOJ and proffers accordingly.

3. **Section 3-608(B). Off Street Parking.** The SFD and SFA off-street parking tabulations shown on Sheet 6 are incorrect. Pursuant to Table 5-1102 of the Zoning Ordinance, the SFA and SFD parking rate is 3.0 spaces per unit. Also, based on the parking rate used for MF units, shown in the table on Sheet 6, all MF units will be 4 bedroom units. Please confirm. In addition, a note under the parking table on Sheet 6 states that 163 on-street parking will be provided. In your response letter you state that on-street parking spaces will be extra parking spaces. However, the parking table on Sheet 6 indicates that on-street parking will be used to meet minimum off-street parking for the development. The minimum required parking for SFD, SFA and MF units must be served by off-street parking. Revise the CDP accordingly.
4. **Section 3-608(C). Minimum Buffer.** Staff notes that the Applicant has requested a zoning modification of this section twice as shown in the Zoning Modification Table on Sheet 6 of the CDP. This is not consistent with the modifications listed in the Applicant's Statement of Justification or the draft proffer statement. Clarify these issues and revise the plat, SOJ and proffers accordingly.
5. **Section 4-101 Purpose.** Previous Comment: *The Applicant responded that the development is within walking distance to restaurant and retail uses within close proximity and non-supportive uses are not envisioned in this area. The Applicant further responded that retail and restaurant uses would be isolated on the property and would remove patrons for the designated corridors for commercial activity and therefore the provision of non-supportive uses is not required. This is not accurate. The intent of the Planned Development-Housing (PD-H) zoning district is to provide for a variety of single and multifamily housing types in neighborhood settings plus supporting non-residential uses in a planned environment fostering a strong sense of community. It is noted that the Applicant is not proposing any supportive non-residential uses in this planned development. In addition, the Applicant has not demonstrated that the proposed zoning map amendment will not further burden the supportive non-residential uses (i.e. schools, parks, libraries, retail stores, etc.) in adjacent communities, by providing data demonstrating that sufficient capacity and adequate facilities are available in these communities. Staff notes the closest retail area is Lansdowne Town Center which is approximately 3/4 of a mile away from this site and is not within easy walking distance for homeowners of this proposed development. Staff continues to question whether this application meets the purpose and intent of a PD-H zoning district. Previous Comment from Zoning Referral #3: In addition, Staff reiterates that the Application does not provide any supporting non-residential uses within the development which are required by this Section and is not within close walking distance to other non-residential services. Comment not resolved as this development is not an extension to the Lansdowne development has no non-residential components and is not within close walking distance to the Lansdowne Town Center.*
6. **Section 4-103 Timing of Development.** See the Modification Section of this referral regarding the timing of construction of the off-street parking garage and temporary use of existing parking for the NCC use.

7. **Section 4-104(A) Maximum Net Residential Density.** Staff notes that the previous comment on this Section was partially addressed. Remove the note from Sheet 6 in the ADU table that states "ADU units to be determined at site plan or preliminary subdivision" as this is not accurate as the number of ADUs must be shown on the CDP.
8. **Section 4-109(A). Site Planning-External Relationships.** Previous Comment: *Demonstrate compliance with this Section. The Applicant stated that the current development proposal reduces the number of daily trips from the previous proposal. Staff questions whether the traffic study compared the current use of the property as a conference center to the proposed use and questions whether the number of trips will increase as a result of the PD-H development. Staff defers to the Transportation Department on this issue.* Staff continues to question whether the traffic study provided with the Application regarding traffic counts and service levels at neighboring intersections comparing the proposed use and the Conference Center traffic are accurate. Staff defers additional comment to OTS. Staff also notes that the Applicant has added a second connection to the development, which is located off-site, via Kipheart Drive, which crosses open space owned by the Board of Supervisors (BOS). The Applicant has also requested a modification to allow the 212 units to be served by one entrance in the event the BOS will not grant them the land for the connection. Staff does not support this modification. Further discussion is included in the modification section of this referral.
9. **Section 4-110(B). Site Planning-Internal Relationships.** The Applicant responded and also noted on Sheet 6 that the type of civic uses that will be located within the open space in Landbay O-2 will be a gazebo, garden type areas and benches. Staff notes that these uses do not meet the Article 8 definition of "civic uses."
10. **Section 4-110(C) Site Planning-Internal Relationships.** Place a label on Sheet 7 identifying the hatched area next to the cul-de-sac at the end of Road B as "emergency access only" so it is clear that two-way or through traffic from the NCC use will not use Road B within the proposed PD-H development.
11. **Section 4-110(F) Ways for pedestrians; use by emergency or service vehicles.:** This Section of the Zoning Ordinance requires that this development be served by at least two points of access to a public street. Staff notes that the Applicant has proposed a second connection to the development via Kipheart Drive which crosses open space owned by the Board of Supervisors (BOS). The Applicant has also requested a modification to allow the 212 units to be served by one entrance in the event the BOS will not grant them the land for the connection. Staff does not support this modification. Furthermore, there is no guarantee that the land for the proposed road connection will be granted by the BOS.
12. **Section 4-110(G) Protection of Visibility-cyclists and pedestrians.** Previous Comment: *Staff notes there are no sidewalks shown to connect Open Space Landbays O-3 and O-4 to the rest of the community. In addition, notes stating "Additional roads, alleyways, and landbays may be added as necessary....." are still located on numerous sheets of the plan and must be removed. Remove the notes on all Sheets that state "Additional roads, alleyways, and landbays may be added as necessary...."*

13. Section 4-110(I) Site Planning-Internal Relationships-Uses adjacent to single-family residential, or agricultural and residential districts or land bays allowing residential uses.

Previous Comment: *This Section requires that a 50 foot permanent open space Type II buffer be provided when residential uses in a PD-H zoning district adjoin a single-family residential, agricultural, or residential development or land bay allowing residential uses, and shall provide either single family lots of at least 20,000 square feet, exclusive of major floodplain on the perimeter or a permanent open space buffer along such perimeter at least 50 feet in width, landscaped with a Type II buffer yard. Staff notes that there are no internal buffer yards shown with this development on the CDP and the Applicant has requested a modification to eliminate the internal buffer yard between residential uses. The Applicant has not demonstrated how this modification is innovative in its design on the CDP or how it meets or exceeds the public purpose of the existing zoning regulation or how it is used in the design, as required by Section 6-1504. Comment not resolved. Staff maintains that the Applicant has not demonstrated how this modification is innovative in its design on the CDP or how it meets or exceeds the public purpose of the existing zoning regulation. Staff further notes that large portions of Landbay O-1 and O-5 contain moderately steep and very steep slopes, which hinders the ability of these areas to be used as open space for the community. See the modification section of this referral for additional comments.*

14. Section 4-111(A) Site Planning-Internal Relationships-Open Space. The Applicant has provided a list of amenities on Sheet 6 of the CDP to demonstrate that they meet the Article 8 Zoning Ordinance definition of "recreation space, active." Staff recommends the Applicant provide a proffered exhibit and proffer language explaining in greater detail the square footage of each amenity to ensure it meets the definition of *recreation space, active*.

15. Section 4-701, 4-702 PD-SA Purpose, Size and Location. Previous Comment: *Staff notes that purpose and intent of the PD-SA zoning district is to keep it separate and distinct from other zoning districts based upon the type of uses allowed in the PD-SA zoning district. Due to the nature of the uses in a PD-SA zoning district, they should be separated from residential uses. Staff also notes that this application will change the acreage, landbay tabulations, tables and layout of PD-SA zoned land on the Lansdowne zoning map amendment (ZMAP-1994-0001) and its subsequent ZCPAs and Staff recommends the Lansdowne plans be updated. Due to the nature of the PD-SA zoning district and the uses associated with it, it should be separated from residential uses. Staff continues to question whether these sections of the Zoning Ordinance are met. Staff maintains that due to the nature of the PD-SA development and the NCC use, it should be functionally separate from residential uses.*

16. Section 5-1100 Off-Street Parking and Loading Requirements. See Comments #3, #6 in Section A above and the Modification Section C of this referral regarding parking comments.

17. Section 7-103(A) and (B) ADU Density Adjustments for SFD/SFA Units and MF Units. Previous Comment: *The ADU density table on Sheet 6 does not clearly delineate the 20 percent density increase for SFD/SFA and 10 percent density increase for MF units. Staff is unsure why the figures used in the Density Bonus Table column are 1.2 and 1.1 respectively. In addition, on Sheet 6, rather than stating 12.5% of the SF dwelling units and 6.25% of the MF dwelling units will be ADUs, provide the number of ADUs in the ADU*

table to demonstrate that these percentages are met. Comment partially addressed. The number of ADUs was not provided in the Table on Sheet 6 as requested.

- 18. Section 7-801 Purpose.** Previous Comment: *Demonstrate compliance with this Section as the ADU and density tables on Sheet 6 are not clear. Demonstrate compliance with Section by annotating the table on Sheet 6 to demonstrate that the maximum permitted density allowed per the R-8 ADU zoning district is not exceeded. Demonstrate on Sheet 6 that the density of 9.6 dwelling units per acre is not exceeded for the R-8 ADU zoning district.*
- 19. Section 7-803(D) Lot Coverage.** Previous Comment: *For the R-8 ADU development option, the maximum lot coverage for SFD units is 50 percent, 60 percent for MF units and 75 percent for SFA units. Revise the Zoning Tabulations Table on Sheet 5 accordingly. The table on Sheet 6 was not corrected. Comment not resolved.*
- 20. Section 7-901 Purpose.** Previous Comment: *Demonstrate compliance with this Section as the ADU and density tables on Sheet 6 are not clear. Demonstrate compliance with this Section by annotating the table on Sheet 6 to demonstrate that the maximum permitted density allowed per the ADU R-16 ADU zoning district is not exceeded. Demonstrate on Sheet 6 that the density of 19.2 dwelling units per acre is not exceeded for the R-16 ADU zoning district.*

B. ZONING MAP AMENDMENT CONSIDERATION ITEMS

- 1. Section 6-1211(E) (Item 3).** Regarding Item 3, Staff continues to question how this application integrates itself into the Lansdowne community. Staff is also concerned that the proposal is not compatible with the adjacent PD-SA zoning district, as the intent of the PD-SA zoning district is to keep it separate due to the large scale nature of the uses allowed in the PD-SA zoning district. See additional comments in Section A of this referral regarding the second point of access and the modification of Section 4-110(D). Staff questions how this proposal integrates itself into the Lansdowne community in a safe, convenient manner.
- 2. Section 6-1211(E) (Item 7).** Previous Comment: *Staff questions whether this application meets the criteria of this Section. Ingress and egress from the Xerox facility will travel through the proposed residential neighborhood from one point of access if the BOS will not allow the roadway connection to Kiphart Drive. Staff notes that Zoning Ordinance requires at least 2 access points per Section 4-110(D). Due to the nature of PD-SA uses, traffic volume, and safety issues for pedestrians and motorists, through traffic in residential neighborhoods shall be avoided. Staff also notes that the application is adjacent to an existing school and questions whether adequate safety measures are available due to the amount of traffic using one point of access. Address the timing of construction for this application, including road improvements, construction of the parking garage for the Xerox facility as this application proposes to remove the parking lot for the Xerox facility. Explain where the required parking for the Xerox facility will be located. Comment not resolved. In addition, Staff notes that there are no guarantees that the BOS will grant land for the road connection and Staff does not support a modification to Section 4-110(D).*

C. MODIFICATIONS

Section 6-1504, Modifications. *"The regulations of the PD district sought shall apply after rezoning is approved unless the Board of Supervisors finds that the zoning, subdivision or other requirements that would otherwise apply should be modified because the actions, designs or solutions proposed by the applicant, although not literally in accord with the applicable regulations, will satisfy public purposes to at least an equivalent degree. No modifications shall be permitted which affect uses, density, or floor area ratio of the district. Modifications to an approved Concept Development Plan may be approved as set forth in Section 6-1511. No modification shall be approved unless the Board of Supervisors finds that such modification to the regulations will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulation. No modification will be granted for the primary purpose of achieving the maximum density on a site. An application for modification shall include materials demonstrating how the modification will be used in the design of the project."*

Staff has the following comments regarding modifications on the 4th submission referral:

1. Section 1-205(A) Lot Access Requirements.

Provision: No structure requiring a building permit shall be erected upon any lot which does not have frontage on a Class I, Class II, Class III road, or private access easement as specified in the individual district regulations, except as specifically provided for herein and the Land Subdivision and Development Ordinance (LSDO).

Request from 2nd submission: *To permit access to single family detached units via private streets.*

Staff Analysis: Staff questions why the Applicant removed this modification request as there are SFD units served by private streets as opposed to public streets. Unless a modification of this Section is requested, SFD must be served by public streets. In addition, the Applicant's response states that a mix of multi-family, town homes and single family attached units are proposed while the proffers and CDP show multi-family, townhouses and single family detached units. Clarify this issue.

2. Section 3-509(C), Section 3-608(C), Section 4-109(C) and Section 4-110(I). Internal and External 50 Foot Permanent Open Space Buffers.

Provision: Section 3-509(C): A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a development adjoins an existing or planned residential district, land bay or development which has a minimum allowable lot size of 6,000 square feet or greater. Such buffer area may be included in open space calculations. **Section 3-608(C):** A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a development adjoins an existing or planned residential district, land bay or development which has a minimum allowable lot size of 8,000 square feet or greater. Such buffer area may be included in open space calculations. **Section 4-109(C):** Where residential uses in a PD-H district adjoin a single-family residential, agricultural, or residential district or land bay allowing

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residential uses, or a commercially zoned development approved subject to proffers prior to adoption of this ordinance, the development shall provide for either:

(1) Single family dwellings on minimum lots of (20,000) square feet or greater, exclusive of major floodplain, along such perimeter; or,

(2) A permanent open space buffer along such perimeter at least fifty (50) feet in width, landscaped with a Type 2 Buffer Yard. Section 4-110(I): Where residential uses in a PD-H district adjoin a single-family residential, agricultural, residential district or land bay allowing residential uses, the development shall provide for either:

(1) Single family dwellings on minimum lots of (20,000) square feet or greater, exclusive of major floodplain, along such perimeter, or;

(2) A permanent open space buffer along such perimeter at least fifty (50) feet in width, landscaped with a Type 2 Buffer Yard.

Request: To eliminate the buffer yard between all residential landbays internal to the Property.

Staff Analysis: Staff notes that Section 3-507(G) requires a 50 foot common open space buffer with a Type II buffer where traditional development adjoins an existing or planned residential district, land bay, or development which has a minimum allowable lot size of 6,000 square feet greater. Staff notes that unless the applicant requests a modification of Section 3-507(G), the CDP must be revised to reflect the 50 foot common open space buffer yard. Staff notes that Sheet 6 of the CDP does not list a modification to Section 3-507(G). Staff maintains that the Applicant has not demonstrated how this modification is innovative in its design on the CDP or how it meets or exceeds the public purpose of the existing zoning regulation. Staff further notes that large portions of Landbay O-1 and O-5 contain moderately steep and very steep slopes, which hinders the ability of these areas to be used as open space for the community. Staff further notes that the required 50 foot wide external buffer yard located on the south side of the development only measures 40 feet in width and a portion of the an active recreation field is located within the buffer yard. Revise the CDP accordingly.

3. Section 4-110(B). Site Planning-Internal Relationships.

Provision: All arterial and collector streets serving a PD-H District, and all streets of any size serving residential (except townhouse and multifamily), commercial, office, institutional and industrial uses within a PD-H district, shall be designed and constructed to VDOT standards for inclusion in the state highway system. Roads serving townhouse and multifamily uses only may be designed and constructed to private streets standards set forth in the Facilities Standards Manual, provided the following conditions are met...

Request: To allow SFD units to be served via private streets.

Staff Analysis: The Applicant is requesting a modification to allow SFD to be served by private streets. Staff questions how this modification is unique and innovative as the land area preserved by private streets which is then placed at the edges of the property in open space contains moderately steep slopes and very steep slopes which makes it difficult to use.

4. Section 4-110(D) Site Planning-Internal Relationships.

Provision: Vehicular access to public streets, from off-street parking and service areas serving less than eighty (80) dwelling units, may be directly to the street via a single point of access. Vehicular access, from off street parking and service areas serving eighty (80) or more units, shall require two (2) or more points of access. Determination of number of the actual dwelling units served shall be based on normal routing of traffic anticipated in the development.

Request: To modify this Section to permit 212 dwelling units to be served by one point of access.

Staff Analysis: Staff notes that the Applicant has added a second connection to the development via Kipheart Drive which crosses open space owned by the Board of Supervisors (BOS). The Applicant has also requested a modification to allow the 212 units to be served by one entrance in the event the BOS will not grant them the land for the connection. In the event the BOS does not allow the 2nd connection, Staff does not support this modification. Staff continues to question how this modification meets or exceeds the public purpose and improves on the existing regulations. Staff is concerned about pedestrian and vehicular safety and the volume of traffic on Upper Belmont Ridge Place and the adjacent school. In addition, the existing Xerox facility will continue to use Upper Belmont Ridge Place which will present additional traffic volumes. Staff continues to question how one point of access promotes a pedestrian friendly neighborhood and minimizes the conflict between pedestrian and vehicular movement. Staff defers additional comments to the Office of Transportation Services to determine if the access point on Kipheart Drive would be able to adequately accommodate the traffic from the development and the Xerox Conference Center.

5. Section 4-705(B)(1) Lot Requirements, Yards, Adjacent to Roads.

Provision: Except where a greater setback is required by Section 5-900, no building shall be permitted closer than thirty five (35) feet to any road and no parking shall be permitted closer than twenty five (25) feet to the right-of-way from any road. No outdoor storage, areas for collection of refuse, or loading space shall be permitted in such setbacks.

Request: To modify this Section to allow the guardhouse and associated facilities to be located within 35 feet of any road parking spaces associated with the guardhouse to be located within 25 feet of any road.

Staff Analysis: Previous Comment: *Staff questions how this modification meets or exceeds the public purpose or improves upon the existing regulation. The Applicant must demonstrate on the CDP how this modification is implemented in the community design and further demonstrate that the existing Xerox facility, its existing structures and its future above-ground parking garage are in conformance with the request. In addition, the CDP does not show the new location of the guardhouse. The Applicant must demonstrate on the CDP how this modification is implemented into the design of the community to ensure the Zoning Ordinance regulations are met and the proposed development is not creating non-conformities.* Comment not resolved.

6. Section 4-705(B)(2) Lot Requirements, Yards, Adjacent to Agricultural and Residential Districts.

Provision: No building, parking, outdoor storage, areas for collection of refuse, or loading area shall be permitted closer than one hundred (100) feet to any agricultural district, any existing or planned residential district, or land bay allowing residential uses. No parking, outdoor storage, areas for collection of refuse, or loading space shall be permitted in areas between buildings and such agricultural districts, existing or planned residential districts, or land bays allowing residential uses where such uses are visible from the said agricultural and residential areas.

Request: The Applicant has removed this modification request from the modification list and the CDP.

Staff Analysis: The Applicant responded that they have not committed to the location of the guard house at this time. As such, Staff is unable to determine if a modification is required or whether the Application will meet this Section of the Zoning Ordinance. In addition, the Applicant has not demonstrated that the future above-ground parking garage are in conformance with the Zoning Ordinance. In addition, the CDP does not show the new location of the guardhouse. The Applicant must demonstrate on the CDP how a modification is implemented into the design of the community to ensure the Zoning Ordinance regulations are met.

7. Section 7-903(D) Lot Coverage.

Provision: 60 percent maximum for MF units and 75 percent maximum for SFA units.

Request: Request to allow a maximum of 80 percent lot coverage within the R-16 zoning districts for all multi-family residential lots.

Staff Analysis: Comment not resolved. Staff notes that the Applicant has removed this modification request from the Application. However, the Zoning Table on Sheet 6 of the CDP must be revised, as the table is missing the Zoning Ordinance reference to the maximum lot coverage of 75 percent for SFA units in the R-16 zoning district.

8. Section 5-1103(A). General Location Requirements. Parking Facilities.

Provision: All parking facilities shall be provided on the same lot or parcel of land being served, or on a separate lot or parcel of land within five hundred (500) feet of the principal entrance of the building lot being served, if the zoning classification of such separate lot or parcel of land is the same as or less restrictive than the classification of the lot upon which the use is located.

Request: Request to permit the use of the existing parking facility on a separate lot or parcel more than 500 feet from the principal entrance of the building lot being served.

Staff Analysis: Staff can support the modification provided a proffer is written to address the timing and phasing of construction of the development and the proposed parking garage on the PD-SA zoned portion of the property and would prohibit the

removal of the existing parking spaces on the PD-H4 zoned portion of the property and continue to allow such parking spaces to be used for the NCC use until additional parking spaces are constructed and available for use on the PD-SA zoned portion of the property to meet the minimum number of parking spaces required by the Zoning Ordinance for the NCC use. It is noted that the documentation and regulations of Section 5-1103(C) must be filed with the County prior site plan or subdivision approval.

D. PROFFERS

Pursuant to Section 6-1209(B), proffered conditions shall be signed by all persons having an ownership interest in the property and shall be notarized. Proffered conditions shall contain a statement that the owners voluntarily enter into the conditions contained therein. The proffer statement must be written in a manner so that there is clarity in the proffers to allow for administration and enforcement. Pursuant to Section 6-1209(G), the Zoning Administrator shall be vested with all necessary authority on behalf of the Board of Supervisors to administer and enforce proffered conditions. Such authority shall include the ability to order, in writing, the remedy of any noncompliance with a proffered condition and the ability to bring legal action to ensure compliance including injunction, abatement, or other appropriate action or proceedings, as provided for in Section 6-500 of this Ordinance. Any person, group, company, or organization aggrieved by an interpretation of the Zoning Administrator may appeal such interpretation as defined by Section 6-1209(J) of this Ordinance.

1. **Proffer Statement Introductory Paragraph.** Staff notes that the Proffer Statement does not address how this application affects the current proffers approved with Lansdowne and which proffers will be superseded or retained with this proffer statement. In addition, Staff recommends this paragraph be clarified to state the acreage of the portion of the subject property that will be rezoned to the PD-H4 zoning district. Furthermore, this application proposes a second connection through an open space recreation parcel owned by the Board of Supervisors approved with ZCPA-2002-0006. Furthermore, the Applicant has not demonstrated whether the area to be used for the roadway connection is needed to meet the open space requirement and acreage proffered in ZCPA-2002-0006 and whether a ZCPA is needed to reflect to changes to tables, CDP and proffers approved with ZCPA-2002-0006 and whether the BOS will grant the land area needed for the road connection.
2. **Proffer I. Concept Development Plan.** Staff recommends that the reference to the revision date of the CDP "April 24, 2009" be revised to "April 27, 2009" as this is the last revision date shown on all the CDP sheets. Staff further recommends that the Applicant rectify the differences and duplications between the modifications listed in Exhibit B and those shown on Sheet 6 of the CDP.
3. **Proffer II. Development Scope.** Staff recommends the department referenced as "Loudoun County Sanitation Authority" be replaced with "Loudoun Water."
4. **Proffer III.A. Site Amenities.** The proffer states that two tot lots are shown on the CDP, which are off-site outside of the proposed PD-H4 community. Clarify whether the tot lots referenced in this proffer are located on the subject property or off-site. Neither the proffer nor CDP address how pedestrians will access these tot lots if off-site. Furthermore, the timing of construction of the green space, sidewalks and trails, as stated in the proffer, is "in A-46

conjunction with the development of the adjacent residential areas and the construction of the internal streets and necessary infrastructure.” This statement is vague and unenforceable and should be triggered at the issuance of a certain number of zoning permits. Staff recommends the proffer clarify what is meant by the term “greenspace.”

5. **Proffer III.B. Civic Space.** Staff recommends that this proffer be revised. See Comment # 9 in Section A as the civic uses proposed with this proffer do not meet the Article 8 definition of “civic use.” In addition, the civic uses listed in the bottom left hand table of Sheet 6 do not meet the Zoning Ordinance definition of civic use.
6. **Proffer III.D. Improvements of Lansdowne Sports Park.** This proffer proposes the relocation of a tot-lot on the Lansdowne Sports Park property, as shown in on Sheet 6 of the CDP. Sheet 6 does not show the relocation of said tot lots. Further, the proffer reads “The Owner shall expend approximately \$34,00 in providing these improvements.” Revise the typographic error. Staff also questions whether these improvements are eligible for a capital facilities credit of \$34,000.00. If so, Staff further questions whether the figure is accurate. Staff defers additional comment to Dan Csizmar, Capital Facilities Planner. In addition, depending on the nature of the changes proposed to the Lansdowne Sports Park property, a ZCPA may be required as Proffer 2.C and the recreation plan approved with ZCPA-2002-0006 identify and show specific features in the sports park.
7. **Proffer IV.A. Capital Facilities Contribution.** Staff questions whether the monetary figures and capital facility credits for amenities referenced in this proffer are accurate. Staff defers additional comment to Dan Csizmar, Capital Facilities Planner.
8. **Proffer VI.A. Road A.** Staff recommends that this proffer be revised to include language regarding what will occur in the event the land for the second access point off-site onto Kipheart Drive is not granted or permitted by the BOS.
9. **Proffer VI.C. Existing National Conference Center Road.** Staff recommends that the proffer be revised to include language regarding NCC traffic which states that Road B cannot be used for NCC traffic and that the only type of access permitted in the vicinity of cul-de-sac at the end of Road B is emergency access.
10. **Proffer VII.E. Stream Corridor Buffer Plantings.** Staff notes that the five enhanced buffer planting areas are not shown on Sheet 5 as referenced in the proffer. Staff recommends that the Applicant provide a typical detail and/or an exhibit of the plantings that will be located in the five buffer enhancement planting areas and such areas be identified on the CDP.
11. **Proffer VIII.D.2. Sports-Plex/Community Center.** Staff questions whether the monetary figures and capital facility credits for amenities referenced in this proffer are accurate and whether these improvements are eligible for a capital facilities credit. Staff defers additional comment to Dan Csizmar, Capital Facilities Planner.
12. Staff recommends that the Applicant add a proffer that addresses the timing and phasing of construction of the development and the proposed parking garage on the PD-SA zoned portion of the property and would prohibit the removal of the existing parking spaces on the PD-H4 zoned portion of the property and continue to allow such parking spaces to be used for the NCC use until additional parking spaces are constructed and available for use

on the PD-SA zoned portion of the property to meet the minimum number of parking spaces required by the Zoning Ordinance for the NCC use. It is noted that the documentation and regulations of Section 5-1103(C) must be filed with the County prior site plan or subdivision approval.

E. CONCEPT DEVELOPMENT PLAN ISSUES

1. Staff notes that this application proposes 212 total units (45 SFD, 105 Townhouses and 62 multi-family units). However, there are numerous Zoning Ordinance sections in the PDH4 Lot and Building Requirements Table on Sheet 6 that contain references to unit types, width, yards, etc that are not proposed with this application. The Applicant responded that the application is not proposing any duplex, triplex or quadraplex units. However, the table on Sheet 6 still contains Zoning Ordinance references to duplex, triplex and quadraplexes. Remove Zoning Ordinance references from the table on Sheet 6 for unit types that are not proposed with this application. Review all the Zoning Ordinances on Sheet 6 and verify they are accurate and only include those references that are applicable to unit types proposed with this application.

COUNTY OF LOUDOUN

DEPARTMENT OF BUILDING AND DEVELOPMENT

MEMORANDUM

DATE: June 11, 2009

TO: Rory Toth

FROM: Susan Glass

SUBJECT: Proffer Management Comments – ZMAP 2007-0004, National Conference Center

I reviewed the draft proffer statement and CDP for ZMAP 2007-004 and have the following comments from a proffer management stand point.

1. First paragraph of the Proffer Statement should include a statement that approval of ZMAP 2007-0004 replaces the proffers previously approved with ZMAP 1994-0001.
2. Proffer III.A states that there will be two tot lots provided. Where will these tot lots be located? Please show them on sheets 4 and 5 of CDP.
3. Proffer III.B, Civic Space: Sheets 4 and 5 of the CDP need to show the public and civic areas that are listed on sheet 6. For example, where will the community gardens be located? Where will the picnic areas be located?
4. Proffer III.C, Land Bay O-6: This area consists of steep slopes and flood plain. Does the County really want to receive this property? What is the intended use?
5. Proffer III.D: Contrary to what is stated in the proffer, sheet 6 of the CDP does not show where the existing tot lot at Lansdowne Sports Park will be relocated.
6. Proffer IV.A, Capital Facilities Contribution: The County cannot support this proffer as it is currently worded; we have no way to keep track of the deductions that the application is proposing. The capital facility credits need to be netted out so that the remaining amount will be paid on a per unit basis. We cannot issue credit for the proposed offsets and wait to require payment until the cumulative value of the market rate residential zoning permits exceeds the total capital facilities credit of \$3,154,000 as currently proposed in the proffer statement.
7. Proffer VII.D, Phosphorous Removal: Is the proposed proffer above and beyond what the developer is already required to do by the Facilities Standards Manual and the Virginia Stormwater Management Handbook?
8. Proffer VII.E, Stream Corridor Plantings: None of the five buffer enhancement areas are shown on sheet 5 of the CDP as stated in the proffer. Please revise the proffer to depict these areas.

COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
ZONING ADMINISTRATION REFERRAL

DATE: December 7, 2007

TO: Ginny Rowen, Project Manager, Department of Planning

THROUGH: Mark Stultz, Deputy Zoning Administrator

FROM: Rory L. Toth, Planner, Zoning Administration

CASE NUMBER & NAME: ZMAP-2007-0004 National Conference Center 1st Submission

TAX MAP/PARCEL NUMBER (MCPI): /50/////////4/ 081-36-9067

Staff has reviewed the referenced revised zoning map amendment (**ZMAP**) application to include the Statement of Justification dated July 12, 2007 and Concept Development Plan (CDP) dated July 2007. The property is currently zoned Planned Development-Special Activity (PD-SA) under the Revised 1993 Loudoun County Zoning Ordinance. The Applicant is requesting to rezone approximately 45.76 acres of the 112.26 acre parcel from the PD-SA zoning district to Planned Development-Housing (PD-H4), administered as R-8 (Single Family Residential) and R-16 (Townhouse/Multifamily Residential, under the ADU (Affordable Dwelling Unit) option to permit the construction of 219 total units with 27 ADUs, 50 single family detached with 6 ADUs, 169 townhouses with 21 ADUs, with an option to construct 60 multifamily with 7 ADUs and a reduction to 109 townhouses with 14 ADUs.

A. CRITICAL ISSUES

1. The application proposes to provide access to and from a use ("Conference or Training Center") on PD-SA zoned property by means of a private access easement that is proposed to be rezoned to PD-H4. A "Conference or Training Center" is not a permitted use in PD-H4 zoning district. The use of private streets providing ingress and egress to the conference center through the PDH4 zoning district constitutes an accessory use. In other words, the application proposes a use that would be accessory to the PD-SA principal use, which would be placed on the PD-H4 property, where the principal use is not permitted. Thus, the application must be revised so that the roads serving the Xerox facility (both ingress and egress) are public roads.

Be advised that your responses to comments in this referral, revisions to the CDP and modifications should incorporate the Zoning Ordinance Amendment (ZOAM-2006-0003) changes effective December 3, 2007.

B. ZONING ORDINANCE COMMENTS

1. **Section 3-506(C)(3)(a, b, and c) Front, Side and Rear Yard Requirements.** The Applicant has requested modifications to the front, side and rear yard requirements of the R-8 zoning district Traditional Design development option. See Staff's analysis in the Zoning Modification Section of this referral. Also, the building requirements table on Sheet 5 of the CDP references three invalid R-8 Sections [Section 3-506(C)(a), 3-506(C)(b) and 3-506(C)(c)] and must be corrected to state [Section 3-506(C)(3)(a), 3-506(C)(3)(b) and 3-506(C)(3)(c).
2. **Section 3-506(D) Length/Width Ratio.** The lot and building requirements table on Sheet 5 references the R-4 zoning district length/width ratio requirement Section 3-405(D), as opposed the R-8 length/width ratio reference of Section 3-506(D). Clarify this inconsistency.
3. **Section 3-507(B) Lot Width.** The Applicant has requested a modification to the R-8 zoning district for SFD developed under the Traditional Design Option to reduce the lot width from 50 feet to 35 feet. See Staff's analysis in the Zoning Modification Section of this referral.
4. **Section 3-506(C)(3)(a). Front Yard-Traditional Design Option-SFA.** The Zoning Ordinance regulations table on Sheet 5 of the CDP references incorrect data. Revise the CDP accordingly.
5. **Section 3-507(C)(a, b, and c) Front, Side and Rear Yard Requirements.** The Applicant has requested modifications to the front, side and rear yard requirements of the R-8 zoning district Traditional Design development option for SFD. See Staff's analysis in the Zoning Modification Section of this referral.
6. **Section 3-507(E) (1 and 2) Lot Design Requirements.** Demonstrate on the CDP that street trees are planted pursuant to Section 5-1300 at regular spacing and that garages will be setback at least 20 feet behind the front line of buildings.
7. **Section 3-507(F). Minimum Open Space Area.** Demonstrate compliance with this Section of the Zoning Ordinance.
8. **Section 3-507(H)(1) Other Requirements.** Demonstrate compliance with this Section. The CDP does not indicate how each landbay is administered. Also, as required by this Section, the road network is not a block or grid design. Revise the CDP accordingly.
9. **Section 3-508(B) Building Height.** The maximum building height for SFD under this Section is 40 feet, not 35 feet as stated on Sheet 5 of the CDP.
10. **Section 3-509(A) Active Recreation Space.** The application proposes to utilize existing off-site amenities provided by Lansdowne and the National Conference Center in lieu of

the active recreation space required in the R-8 zoning district. See Staff's analysis in the Zoning Modification Section of this referral.

11. **Section 3-509(B) Off-Street Parking.** Demonstrate compliance with this Section.
12. **Section 3-511 (A) and Section 3-610(A) Development Setback and Access from Major Roads, Private Streets and Section 4-110(B) Private Streets.** The Applicant requested a modification to this Section of the Zoning Ordinance to reduce the required setback from any other road right-of-way to 10 feet on the front and 5 feet on the side. Staff is unclear of what the Applicant is requesting. A setback, by definition in Article 8 of the Zoning Ordinance, it is not the same as a required yard. Thus, one figure must be provided, not two figures based on what type of yard is on the lot. A reference to the conditions for using private streets, required by this Section and Section 4-110(B), should be placed on the CDP. See Staff's analysis in the Zoning Modification Section of this referral. In addition, ZOAM-2006-0003 adopted on December 3, 2007 changed how this Section is written. Respond to this comment based upon the new regulation, update the Zoning table on Sheet 5 of the CDP and Staff will re-review on next submission.
13. **Section 3-606(C)(3)(a) Front Yard. Traditional Design Option-SFA.** The Zoning Ordinance regulations table on Sheet 5 of the CDP references incorrect data. Revise the CDP accordingly.
14. **Section 3-607(B) (1) and (2) Building Height for SFA and MF Units.** The maximum building height for SFA under this Section is 45 feet and 45 feet for MF units, provided a MF unit may be erected to a maximum of 55 feet if it is setback from streets or lot lines in addition to each of the required minimum yard dimensions, a distance of not less than one foot for each one foot of height that it exceeds the 45-foot limit. Revise the Zoning Table on Sheet 5 of the CDP.
15. **Section 3-607(C) Maximum Units Per Building.** Demonstrate compliance with this Section.
16. **Section 3-608(A) Active Recreation Space.** The application proposes to utilize existing off-site amenities provided by Lansdowne and the National Conference Center in lieu of the required on-site active recreation space of the R-16 zoning district. See Staff's analysis in the Zoning Modification Section of this referral.
17. **Section 4-101 Purpose.** The intent of the Planned Development-Housing (PD-H) zoning district is to provide for a variety of single and multifamily housing types in neighborhood settings plus supporting non-residential uses in a planned environment fostering a strong sense of community. It is noted that the Applicant is not proposing any supportive non-residential uses in this planned development.
18. **Section 4-103 Timing of Development.** The Applicant needs to address the timing of development criteria in their written Statement of Justification. Notes 1 and 2, under the Phasing Plan heading on Sheet 5 of the CDP are vague and do not address the regulations

of this Section.

19. **Section 4-104(A) Maximum Net Residential Density.** Staff notes that this application proposes 4.79 dwelling units per acre. This density exceeds the maximum net density allowed in the PD-H4 zoning district. Reduce the number of units proposed with this application or select an alternative zoning district. The bonus density under the ADU option allows 20 percent SFDs, SFAs and 10 percent MF units.
20. **Section 4-109(A). Site Planning-External Relationships.** Demonstrate compliance with this Section.
21. **Section 4-109(E). Height limitations at edges of PD-H districts.** Staff notes that the height at the edges of the PD-H district is limited to an imaginary plane leaning inward from the district boundary at an angle representing an increase in height of one foot for every one foot of horizontal distance perpendicular to the district boundary. The Applicant must provide the building height of proposed units so that Staff can verify if the building heights proposed on the lots require a modification of this Section. Staff will respond to this comment after resubmission.
22. **Section 4-110(C) Site Planning-Internal Relationships.** Demonstrate compliance with this Section. Staff is concerned of that the street layout of the community encourages outside or through traffic on minor streets to access the Xerox facility.
23. **Section 4-110(F) Ways for pedestrians; use by emergency or service vehicles.** Demonstrate compliance with this Section. Staff questions how the Applicant is meeting the regulations of this Section as there is only one point of access to the development, which will be shared by Xerox facility traffic, an elementary school off of Upper Belmont Ridge Place and the development proposed with this application. Staff is concerned that accessways used by children going to the school or other destinations is not safeguarded against automotive traffic.
24. **Section 4-110(G) Protection of Visibility-cyclists and pedestrians.** Provide sidewalks and/or trails on both sides of the private streets so that pedestrians will have access to and from open space areas, on-site active recreation areas and connections outside the community. Staff notes it is difficult to determine which roads are public, private or alleyways, as the roads shown on the CDP are not labeled.
25. **Section 4-110(I) Site Planning-Internal Relationships-Uses adjacent to single-family residential, or agricultural and residential districts or land bays allowing residential uses.**

This Section requires that a 50 foot permanent open space Type II buffer be provided when residential uses in a PD-H zoning district adjoin a single-family residential, agricultural, or residential development or land bay allowing residential uses, and shall provide either single family lots of at least 20,000 square feet, exclusive of major floodplain on the perimeter or a permanent open space buffer along such perimeter at least 50 feet in width, landscaped with a Type II buffer yard. Staff notes that there are no internal buffer yards shown with this

development on the CDP.

- 26. Section 4-111(A) Site Planning-Internal Relationships-Open Space.** According to the PD-H4 open space table on Sheet 5 of the CDP, the Applicant proposes 34.4 percent of the property as open space. Staff is uncertain why the Applicant requested a modification to this Section, as they have provided more than 30 percent open space on the property. Please explain. Also, the Applicant must show the general location, acreage and character of the required open space (i.e. common open space, dedicated open space and active recreation open space) on the CDP.
- 27. Section 4-702 PD-SA Size and Location.** The PD-SA district shall be a minimum of 100 contiguous acres. Staff notes that this application proposes to rezone approximately 45.76 acres of a 112.26 acre parcel from PD-SA to PD-H4. The size of the remaining PD-SA zoning district is approximately 66.52 acres. Thus, the Applicant must reduce the size of the proposed PDH4 zoning district area or request a modification with justification to Section 4-702 to reduce the required minimum PD-SA zoning district size. Staff notes that purpose and intent of the PD-SA zoning district is to keep it separate and distinct from other zoning districts based upon the type of uses allowed in the PD-SA zoning district. Due to the nature of the uses in a PD-SA zoning district, they should be separated from residential uses. In addition, as a result of the application, Staff notes the resulting FAR for the remaining PD-SA zoning district is .396, which is extremely close to the maximum .40 requirement in the PD-SA zoning district which leaves little opportunity for error or the option for the conference center to expand. Staff also notes that this application will change the acreage, landbay tabulations, tables and layout of PD-SA zoned land on the Lansdowne zoning map amendment (ZMAP-1994-0001) and its subsequent ZCPAs.
- 28. Section 5-1100 Off-Street Parking and Loading Requirements.** This Section requires that 3.0 parking spaces per single family attached, except that at least .5 spaces/unit will be accommodated by off lot parking spaces and 3.0 parking spaces per single family detached dwelling units be provided on the property. This calculation was not provided on the CDP. Driveway and garage spaces count toward required parking spaces. In addition, the Applicant must provide a breakdown of the number and type of multifamily units, as the off-street parking requirements are based off of the number of bedrooms. Once this data is provided, Staff can verify if the required off-street parking requirements are met. The Applicant has not provided a parking tabulation table on the CDP demonstrating that they can meet off-street parking requirements. The statement on Sheet 6 of the CDP, which states that parking will be provided pursuant to Section 5-1100, is not sufficient. In addition, Staff notes that this application proposes to rezone a portion of the PD-SA zoning district where the existing parking for the Xerox facility is located. Explain how the off-street parking for the Xerox facility will be accommodated and the timing of construction as it relates to this application.
- 29. Section 5-1400 Buffer Yards.** A minimum Type III buffer yard is required between the National Conference Center (Group 7 use) and the SFA/SFD (Group 1 and 2 uses). Staff also notes that private streets on the east and west sides of the property are encroaching into

required open space buffer yards. In addition, Note #9 on Sheet 3 of the CDP states that buffer yards may be reduced, waived or modified pursuant to Section 5-1409 of the Zoning Ordinance. Staff notes the Applicant has not requested any modifications of this Section. Also, the proper time to request modifications of Section 5-1400 is at record plat or site plan. Revise this note to state that CDP will be in conformance with Section 5-1400, unless waived or modified and demonstrate compliance with this regulation on the CDP.

- 30. Section 5-1508 Steep Slopes.** Staff notes that portions of the property contain moderately steep (slopes 15%-25%) and very steep slopes (slopes greater than 25%) and are subject to the regulations listed therein. The CDP does not clearly depict the location of moderately steep and very steep slopes. Also, a map provided to Staff in a meeting on October 2, 2007 based on 2-foot topography shows greater steep slope areas than what is shown on the 5-foot based topography on the CDP. This may result in design issues at the preliminary plan stage. Accurately illustrate moderately steep and very steep slopes on the CDP based on 2-foot topography with the proposed lot layout.
- 31. Section 6-1508 Contents of an approved Concept Development Plan.** This Section lists the required provisions and materials to be shown on a CDP. The Applicant has provided a table on Sheet 5 which gives a breakdown of how many units will be located within each land bay. However, Staff is unable to determine whether the number units proposed for each landbay will meet the requirements of the Zoning Ordinance, as no lot layout, required yards, open space or setbacks were provided. Sheet 7 contains only an illustrative concept of building locations. Staff recommends a layout of lots, roads, active recreation space and open space on the subject parcel. In addition, indicate on the CDP how each particular landbay is administered and which development design option each landbay is developed under (i.e. traditional vs suburban).
- 32. Section 7-103(A) and (B). Affordable Dwelling Unit Adjustments, SFD, SFA and Multi-Family Units.** Provide a table on the CDP, demonstrating compliance with the percentage of ADUs required with this application and the actual number provided. Staff notes that Note #2, under the Landbay Tabulation Table on Sheet 5 of the CDP states that unit distribution is subject to modification due to final engineering, architectural orientation and the Applicant's option to include up to 60 MF units in lieu of 60 SFA units, to be established during subdivision.
- 33. Section 7-803 and 7-903 Lot and Building Requirements.** Pursuant to this Section, the lot, building setback and access requirements for ADUs shall be the same for other lots within the development, whether it is a suburban or traditional design option in the R-8 and R-16 districts. Demonstrate compliance with these Sections by providing a lot layout on the CDP.
- 34. Section 7-803(D) Lot Coverage.** For the R-8 ADU development option, the maximum lot coverage for SFD units is 50 percent, 60 percent for MF units and 75 percent for SFA units. Revise the Zoning Tabulations Table on Sheet 5 accordingly.

C. CONFORMANCE WITH ZONING OVERLAY DISTRICTS

1. Section 4-1500 Floodplain Overlay District. Staff notes that portions of the property contain minor floodplain. In addition, Staff notes that a floodplain alteration (FPAL), pursuant to the procedures and standards in Section 4-1508, may be required to complete any alteration in the floodplain (i.e. road crossings) unless a waiver letter (WAIV) is granted by the Department of Building & Development.

D. ZONING MAP AMENDMENT CONSIDERATION ITEMS

- 1. Section 6-1211(E) (Item 3).** Regarding Item 3, the Applicant states that the proposed residential use is "perfectly compatible" with three adjacent residential properties. Staff questions how this application integrates itself into the Lansdowne community. Staff is also concerned that the proposal is not compatible with the adjacent PD-SA zoning district, as the intent of the PD-SA zoning district is to keep it separate due to the large scale nature of the uses allowed in the PD-SA zoning district. The Applicant must also demonstrate that this rezoning will not further burden the supportive non-residential uses such as, but not limited to, schools, parks, libraries, police/fire & rescue service, retail stores, etc in adjacent communities, by providing data demonstrating that sufficient capacity are available in these communities. Otherwise, Staff recommends the proposal be redesigned to decrease the density proposed or develop the properties under an R-District, as this PD-H development offers only residential units components that could be achieved under a "R-zoning district." Staff further recommends that proffers be submitted addressing the capital facilities needs generated by this development.
- 2. Section 6-1211(E) (Item 4).** Staff questions whether this application meets the criteria of this Section. The Applicant has not demonstrated whether adequate water, sewer, transportation, schools or other facilities exist to serve the needs of this development. Staff defers to LCSA, Department of Transportation and the Loudoun County Schools for further comments on these issues.
- 3. Section 6-1211(E) (Item 6).** Regarding Item 6, Staff notes that a large portion of the site contains floodplain and hydric soils. Confirm whether a detailed soils report of the property has been submitted for the development of the property due to the presence of these sensitive environmental features. Staff defers to the Environmental Review Team for further comments on this issue.
- 4. Section 6-1211(E) (Item 7).** Staff questions whether this application meets the criteria of this Section. Ingress and egress from the Xerox facility will travel through the proposed residential neighborhoods on private streets. Due to the nature of PD-SA uses, traffic volume, and safety issues for pedestrians and motorists, through traffic in residential neighborhoods shall be avoided. Staff also notes that the application is adjacent to an existing school and questions whether adequate safety measures are available due to the increased number of vehicle trips. Address the timing of construction for this application, including road improvements, construction of the parking garage for the Xerox facility as this application proposes to remove the parking lot for the Xerox facility. Explain where

the required parking for the Xerox facility will be located.

E. MODIFICATIONS

Section 6-1504, Modifications. *"The regulations of the PD district sought shall apply after rezoning is approved unless the Board of Supervisors finds that the zoning, subdivision or other requirements that would otherwise apply should be modified because the actions, designs or solutions proposed by the applicant, although not literally in accord with the applicable regulations, will satisfy public purposes to at least an equivalent degree. No modifications shall be permitted which affect uses, density, or floor area ratio of the district. Modifications to an approved Concept Development Plan may be approved as set forth in Section 6-1511. No modification shall be approved unless the Board of Supervisors finds that such modification to the regulations will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulation. No modification will be granted for the primary purpose of achieving the maximum density on a site. An application for modification shall include materials demonstrating how the modification will be used in the design of the project."*

In general, the modifications shown on Sheet 5 of the CDP are unclear and confusing. Revise Sheet 5 to include all modifications in one table, not two separate tables. Also, the total number of modifications is not 11, as shown in the modification matrix on Sheet 5. The number of modifications shown in the SOJ and the CDP do not match. Modifications appear to be lumped into categories created by the Applicant which obscures the total number of modifications requested. Staff notes that the Applicant has requested 34 modifications, some of which are not necessary. Staff does not support the number of modifications proposed with this application. Also, based upon the current design, Staff has identified additional Zoning Ordinance sections which must be modified unless the application is revised (see comments in Section B above). A more detailed analysis of the requested Zoning Ordinance modifications is found below.

1. Section 1-205(A) Lot Access Requirements.

Provision: No structure requiring a building permit shall be erected upon any lot which does not have frontage on a Class I, Class II, Class III road, or private access easement as specified in the individual district regulations, except as specifically provided for herein and the Land Subdivision and Development Ordinance (LSDO).

Request: To permit access to single family detached, single family attached and multi-family dwelling units via private streets.

Staff Analysis: Staff questions how providing units that front on public streets creates pocket communities and preclude a close-knit community when Traditional design concepts and a sense of community can be achieved by using public streets in the R-8 and R-16 zoning districts. Staff notes that a modification to allow multi-family units and single family attached units to be served by private streets is not necessary as these types of units are permitted to be served by private streets pursuant to the regulations of Section 4-

110(B)(1-4). However, the Applicant needs to identify all road types on the CDP (i.e. alley, private street, public street) and indicate in which landbay(s) this modification will apply.

2. Section 3-509(A) Active Recreation Space (R-8)

Provision: A minimum of 5,000 square feet of active recreation space shall be provided for each development of ten (10) units. Thereafter, an additional 100 square feet of such space shall be provided for each single family detached, manufactured housing or duplex unit and 200 square feet for each attached dwelling unit, triplex unit, quadruplex unit, townhouse, and multi-family unit in excess of 10 units. All such active recreation space shall be accessible to all residents by means of internal pedestrian walkways.

Request: The Applicant requests that provisions be modified to permit the use of off-site amenities provided by Lansdowne and the National Conference Center.

Staff Analysis: Staff notes that this modification request is not needed as the active recreation requirements of Section 7-803(E) take precedence over this Section.

3. Section 3-511(A) Lot Requirements Development Setback and Access From Major Roads.

Provision: In designing residential development, the requirements of Section 5-900 shall be observed.

(A) **Private Streets.** Roads, serving townhouse and multifamily uses only, may be designed and constructed to private streets standards set forth in the Facilities Standards Manual, provided the following conditions are met.....

Request: To permit uniform front, side and rear yards of 10 feet, 5 feet and 15 feet, respectively, for single family detached dwelling units in the R-8 and R-16 zoning districts.

Staff Analysis: Staff can support this modification of allowing setbacks to be consistent with ADU front yard requirements provided the Applicant demonstrates the modification request meets or exceeds the public purpose or improves upon the existing regulation. Staff is concerned that this decreased setback leaves inadequate space for required off-street parking in driveways and garages on single family attached and single-family detached lots. Demonstrate how this modification will be implemented on the CDP. Also, Staff questions how placing buildings closer together and closer to the street fosters community interaction as this can be achieved under the R-district regulations without a modification. Staff questions how providing units that front on public streets creates pocket communities and preclude a close-knit community when Traditional design concepts and a sense of community can be achieved by using public streets in the R-8 and R-16 zoning districts. Staff notes that a modification to allow multi-family units and single family attached units to be served by private streets is not necessary as these types of units are permitted to be served by private streets pursuant to the regulations of Section

4-110(B)(1-4). However, the Applicant needs to identify all road types on the CDP (i.e. alley, private street, public street) and indicate in which landbay(s) this modification will apply.

4. Section 3-511(C) Private Streets.

Provision: This is not a valid Zoning Ordinance section.

Request: To permit access to single family detached, single family attached and multi-family dwelling units via private streets.

Staff Analysis: A modification to this Section is not needed as Section 3-511(C) is not a valid Zoning Ordinance reference.

5. Section 3-607(A) Building Requirements. Lot Coverage (R-16)

Provision: 60 percent maximum

Request: Request to allow a maximum of 80 percent lot coverage within the R-16 zoning districts for all multi-family residential lots.

Staff Analysis: Staff questions why the Applicant requested this modification as the lot coverage regulations of Section 7-903(D) essentially trump the underlying regulations of the R-16 multi-family unit lots. Staff notes the Applicant requested a modification to Section 7-903(D).

6. Section 3-607(B) Building Height.

Provision: This section allows multi-family structures to be erected to a maximum of 55 feet if it is setback from streets or lot lines from the yard line a distance of not less than 1 foot for each 1 foot of height that exceeds 45 feet and a 45 foot maximum for SFA units.

Request: To permit multi-family units to be at least 60 feet in height with no additional setback.

Staff Analysis: The Applicant's justification for this modification states this modification will allow customer demand for higher ceilings, open floor plans, larger windows, allow more interesting front elevations and permit podium parking. Staff believes that this justification does not meet the Zoning Ordinance modification criteria. Staff questions how these features are an innovative design or improves upon the existing regulations. Also, explain where this modification will apply (i.e. landbays) and illustrate on the CDP.

7. Section 3-608(A) Active Recreation Space, R-16

Provision: A minimum of 5,000 square feet of active recreation space shall be provided for each development of ten (10) units. Thereafter, an additional 200 square feet minimum shall be provided for each manufactured housing, attached dwelling unit, triplex unit, quadruplex unit, townhouse and multi-family unit in excess of 10 units. All such active recreation space shall be accessible to all residents by means of internal pedestrian walkways.

Request: The Applicant requests that provisions be modified to permit the use of off-site amenities provided by Lansdowne and the National Conference Center.

Staff Analysis: Staff notes that this modification request is not needed as the active recreation requirements of Section 7-903(E) take precedence over this Section.

8. Section 3-610(A) Development Setback and Access From Major Roads.

Provision: In designing residential development, the requirements of Section 5-900 shall be observed.

(A) **Private Streets.** Roads, serving townhouse and multifamily uses only, may be designed and constructed to private streets standards set forth in the Facilities Standards Manual, provided the following conditions are met.....

Request: To permit uniform front, side and rear yards of 10 feet, 5 feet and 15 feet, respectively, for single family detached dwelling units in the R-8 and R-16 zoning districts.

Staff Analysis: Staff can support this modification of allowing setbacks to be consistent with ADU front yard requirements provided the Applicant demonstrates the modification request meets or exceeds the public purpose or improves upon the existing regulation. Staff is concerned that this decreased setback leaves inadequate space for required off-street parking in driveways and garages on single family attached and single-family detached lots. Demonstrate how this modification will be implemented on the CDP. Also, Staff questions how placing buildings closer together and closer to the street fosters community interaction as this can be achieved under the R-district regulations without a modification. Staff questions how providing units that front on public streets creates pocket communities and preclude a close-knit community when Traditional design concepts and a sense of community can be achieved by using public streets in the R-8 and R-16 zoning districts. Staff notes that a modification to allow multi-family units and single family attached units to be served by private streets is not necessary as these types of units are permitted to be served by private streets pursuant to the regulations of Section 4-110(B)(1-4). However, the Applicant needs to identify all road types on the CDP (i.e. alley, private street, public street) and indicate in which landbay(s) this modification will apply. Staff questions how this modification request meets or exceeds the public purpose or improves upon the existing regulation. Demonstrate how this modification will be

implemented on the CDP and which landbays it will apply. Also, Staff questions how placing tall buildings, such as multifamily units, closer together and closer to the street fosters community interaction as this can be achieved under the current zoning regulations.

9. Section 4-110(B) Site Planning-Internal Relationships.

Provision: All arterial and collector streets serving a PD-H District, and all streets of any size serving residential (except townhouse and multifamily), commercial, office, institutional and industrial uses within a PD-H district, shall be designed and constructed to VDOT standards for inclusion in the state highway system. Roads serving townhouse and multifamily uses only may be designed and constructed to private streets standards set forth in the Facilities Standards Manual, provided the following conditions are met...

Request: To permit access to single family detached, single family attached and multi-family dwelling units via private streets.

Staff Analysis: The Applicant indicated that public streets preclude close-knit communities and create pocket communities. Staff questions how providing SFD units that front on public streets creates pocket communities and preclude a close-knit community when Traditional design concepts can be achieved by using public streets in the R-8 and R-16 zoning districts. Staff notes that a modification to allow multi-family units and single family attached units to be served by private streets is not necessary as these types of units are permitted to be served by private streets pursuant to the regulations of Section 4-110(B)(1-4). However, the Applicant needs to identify all road types on the CDP (i.e. alley, private street, public street) and indicate in which landbay(s) this modification will apply.

10. Section 4-110(D) Site Planning-Internal Relationships.

Provision: Vehicular access to public streets, from off-street parking and service areas serving less than eighty (80) dwelling units, may be directly to the street via a single point of access. Vehicular access, from off street parking and service areas serving eighty (80) or more units, shall require two (2) or more points of access. Determination of number of the actual dwelling units served shall be based on normal routing of traffic anticipated in the development.

Request: To modify this Section to permit more than 79 dwelling units to be served by one point of access.

Staff Analysis: Staff is uncertain as to what the Applicant is requesting with this modification as they have requested 79 units to be served by one point of access, however, the Applicant is proposing 219 units with this development with only one access point. This Section requires two or more points of access with this application. Staff questions how this modification meets or exceeds the public purpose and improves on the existing regulations. Staff is concerned about pedestrian and vehicular safety and

the volume of traffic on Upper Belmont Ridge Place and the adjacent school. In addition, the existing Xerox facility will continue to use Upper Belmont Ridge Place which will present additional traffic volumes. Staff also questions how one point of access promotes a "front door" character and a pedestrian friendly neighborhood. Staff defers additional comments to the Department of Transportation.

11. Section 4-111(A) Open Space.

Provision: A minimum of thirty percent (30%) of the land within the district, excluding the land designated for road rights-of-way, commercial and industrial uses, shall be devoted to open space. Active recreation space required under the Urban Residential Districts, in Article III, shall be counted toward the open space requirements and all, or a portion of, which may be located outside of the individual R-district land bay to create more functional recreation areas. Land comprising major floodplain, steep slopes, active recreation open space, common open space and dedicated open space shall all be counted toward satisfying this minimum open space requirement. The general location and character of the required open space shall be depicted on the Concept Development Plan.

Request: The Applicant requests that provisions be modified to permit the use of off-site amenities provided by Lansdowne and the National Conference Center.

Staff Analysis: According to the PD-H4 open space table on Sheet 5 of the CDP, the Applicant proposes 34.4 percent of the property as open space. Staff is uncertain as to why the Applicant requested a modification to this Section, as the calculations table on this Sheet indicates that the Applicant has provided more than 30 percent open space on the property. Please explain. However, the Applicant must show the general location, acreage and character of the required open space (i.e. common open space, dedicated open space and active recreation open space) on the CDP.

12. Section 4-111 (B) (2) Ownership, Operation and Management of Common Open Space and Common Facilities.

Provision: All common open space not dedicated to the County shall be subject to restrictive covenants running with the land restricting its use to that specified in the approved Development Plan. Such restrictions shall be for the benefit of, and enforceable by, all present or future residential property owners and the Board of Supervisors of Loudoun County.

Request: The Applicant requests that provisions be modified to permit the use of off-site amenities and open space provided by Lansdowne and the National Conference Center.

Staff Analysis: Staff notes that this Section is not permitted to be modified. Staff notes that "open space" and "recreation space, active" are defined in Article 8 of the Zoning Ordinance and definitions are not permitted to be modified. The Applicant is not permitted to count open space already dedicated in other developments to count toward the open space requirements in this Application.

13. Section 4-705(B)(1) Lot Requirements, Yards, Adjacent to Roads.

Provision: **Adjacent to roads.** Except where a greater setback is required by Section 5-900, no building shall be permitted closer than thirty five (35) feet to any road and no parking shall be permitted closer than twenty five (25) feet to the right-of-way from any road. No outdoor storage, areas for collection of refuse, or loading space shall be permitted in such setbacks.

Request: To reduce the minimum setback to 25 feet for recreational uses adjacent to residential uses, other non-residential uses, or any right-of-way.

Staff Analysis: Staff questions how this modification meets or exceeds the public purpose or improves upon the existing regulation. The Applicant must demonstrate on the CDP how this modification is implemented in the community design and further demonstrate that the existing Xerox facility, its existing structure and its future above-ground parking garage are in conformance with the request. The Applicant has indicated they are willing to enhance areas reserved for parking, outdoor storage, collection of refuse and loading through use of a landscaping program. However, this statement is vague and unenforceable. Furthermore, the Applicant did not provide a landscaping program Sheet, as stated on page 16 of their SOJ.

14. Section 4-705(B)(2) Lot Requirements, Yards, Adjacent to Agricultural and Residential Districts.

Provision: No building, parking, outdoor storage, areas for collection of refuse, or loading area shall be permitted closer than one hundred (100) feet to any agricultural district, any existing or planned residential district, or land bay allowing residential uses. No parking, outdoor storage, areas for collection of refuse, or loading space shall be permitted in areas between buildings and such agricultural districts, existing or planned residential districts, or land bays allowing residential uses where such uses are visible from the said agricultural and residential areas.

Request: To reduce the minimum setback to 25 feet for recreational uses adjacent to residential uses, other non-residential uses, or any right-of-way.

Staff Analysis: Staff questions how this modification meets or exceeds the public purpose or improves upon the existing regulation. Staff questions how reducing the required yard from 100 feet to 25 feet is innovative or unique in its design. The Applicant must demonstrate on the CDP how this modification is implemented in the community design and further demonstrate that the existing Xerox facility, its existing structures and its future above-ground parking garage are in conformance with the modification request. The Applicant has indicated they are willing to enhance areas reserved for parking, outdoor storage, collection of refuse and loading through use of a

landscaping program. However, this statement is vague and unenforceable. Furthermore, the Applicant did not provide a landscaping program Sheet, as stated on page 16 of their SOJ.

15. Section 4-707(D)(3) Use Limitations, Access from Major Roads.

Provision: In designing special activity development, the requirements of Section 5-900 shall be observed.

(1) Primary access shall be prohibited on residential neighborhood streets. This prohibition does not apply to collector roads through residential neighborhoods.

Request: To permit vehicular traffic associated with the National Conference Center to travel along Upper Belmont Place through the PD-H zoned development.

Staff Analysis: Staff questions how this modification meets or exceeds the public purpose or improves upon the existing regulation as traffic coming to and from the Xerox facility will be traveling through residential neighborhoods. The Applicant wishes to integrate the National Conference Center with the residential development that surrounds it and weave the conference center into the Lansdowne community. Staff notes that the purpose and intent of the PD-SA zoning district is to keep it separate and distinct from other zoning districts due to the types and intensities of uses allowed in the PD-SA zoning district. Staff is also concerned about pedestrian and vehicular safety due to service vehicles and increased traffic volume traveling to and from the Xerox facility on narrow streets and homes being built closer to the roadways than what is found in a typical Traditional neighborhoods.

16. Section 7-803(B) Lot Width, Single Family Detached, Suburban Design.

Provision: 40 feet minimum

Request: To permit a minimum lot width of 35 feet.

Staff Analysis: Staff questions how this modification meets or exceeds the public purpose or improves upon the existing regulation. Staff questions how providing homes in close proximity to one another strengthens community experience and decreases the amount of impervious surface for driveways and parking lots. The Applicant states that this modification will also allow pocket parks and other open spaces throughout the community. However, Staff notes that this justification conflicts with the Applicant's justification in Modification V, Page 13, in that they assert requiring open space and amenities in separate zoning districts would create "pocket communities" and reduce meaningful community interaction. Please explain.

17. Section 7-803(C)(1)(a) Yards, Front.

Provision: 15 feet minimum for single family detached, suburban and traditional.

Request: To permit a front yard of 10 feet for single family detached units.

Staff Analysis: Staff questions how this modification meets or exceeds the public purpose. Staff is concerned that minimum parking lot requirements of 3.0 spaces per dwelling unit will not be met. Staff recommends the Applicant provide additional information and details demonstrating that the parking requirements can be met. Demonstrate how this modification will be implemented on the CDP and in which landbays it will apply. Also, indicate on the CDP which development design option each landbay is developed under (i.e. traditional vs suburban). Furthermore, for lots developed under the Traditional Design option, the Applicant must demonstrate how the 20 foot setback for garages from the front line of buildings is implemented. Staff is concerned that the reduced front yard in traditionally designed neighborhoods will affect the ability to meet the garage setback regulation in Section 3-507(E)(2).

18. Section 7-803(C)(1)(b) Yards, Side.

Provision: 8 feet minimum (16 feet minimum between units) for single family detached, suburban and traditional.

Request: To permit a side yard of 5 feet for single family detached dwelling units in the R-8 and R-16 zoning districts.

Staff Analysis: Staff questions how this modification meets or exceeds the public purpose or improves upon the existing regulation. Staff is concerned that this modification will limit the ability of a homeowner to place uses permitted in required side yards per Section 5-200 due to the reduced width. As written, this modification does not require any additional setback between buildings beyond 5 feet, which is required under Section 7-803(C)(1)(b). Staff is concerned this will result in buildings too close to each other which raises questions of safety and adequate ingress and egress. Demonstrate how this modification will be implemented on the CDP and in which landbays it will apply. Also, indicate on the CDP which development design option each landbay is developed under (i.e. traditional vs suburban).

19. Section 7-803(C)(1)(c) Yards, Rear.

Provision: 25 foot minimum for single family detached, suburban and traditional.

Request: To permit a rear yard of 15 feet for single family detached dwellings in the R-8 and R-16 zoning districts.

Staff Analysis: Staff questions how this modification meets or exceeds the public purpose or improves upon the existing regulation. Staff is concerned that this modification will limit the ability of a homeowner to place uses permitted in required rear yards per Section 5-200 due to the reduced depth of the lots. Staff questions how a reduced rear yard ensures and promotes a more walkable community and community

interaction that can be achieved under any other R-district. Demonstrate how this modification will be implemented on the CDP and in which landbays it will apply. Also, indicate on the CDP which development design option each landbay is developed under (i.e. traditional vs. suburban).

20. Section 7-803(C)(2)(a) Single Family Attached Yards, Front (Traditional Design)

Provision: 15 foot minimum for single family attached units.

Request: To permit a front yard of 10 feet for single family attached dwellings in the R-8 and R-16 zoning districts.

Staff Analysis: Staff questions how this modification request meets or exceeds the public purpose or improves upon the existing regulation. Staff is concerned that the minimum parking lot requirements of 3.0 spaces per dwelling unit will not be met due to the reduced length of the required yard. Staff recommends the Applicant provide additional information and details demonstrating that the parking requirements can be met.

21. Section 7-803(C)(2)(b) Single Family Attached Yards, Side. (Traditional Design)

Provision: 8 feet minimum; 0 feet for interior units for single family attached dwellings.

Request: To permit a side yard of 5 feet for single family attached dwellings in the R-8 and R-16 zoning districts.

Staff Analysis: Staff questions how this modification meets or exceeds the public purpose or improves upon the existing regulation. Staff is concerned that this modification will limit the ability of a homeowner to place uses permitted in required side yards per Section 5-200 due to the reduced width. As written, this modification does not require any additional setback between buildings beyond 5 feet. Staff is concerned this will result in buildings too close to each other which raises issues of safety and adequate ingress and egress. Demonstrate how this modification will be implemented on the CDP and in which landbays it will apply.

22. Section 7-803(C)(2)(c) Single Family Attached Yards, Rear. (Traditional Design)

Provision: 15 feet minimum

Request: To permit a rear yard of 15 feet for single family attached dwellings in the R-8 and R-16 zoning districts.

Staff Analysis: Staff notes that this modification is not needed.

23. Section 7-803(C)(3)(a) Lot Requirements, Front Yard, Multi-Family structures.

Provision: 20 feet minimum

Request: To permit a front yard of 10 feet for multi-family units in Traditional Design areas of the R-8 zoning district.

Staff Analysis: Staff questions how this modification meets or exceeds the public purpose or improves upon the existing regulation. Demonstrate how this modification will be implemented on the CDP and in which landbays it will apply. Also, indicate on the CDP which development design option each landbay is developed under (i.e. traditional vs suburban). In addition, Staff is concerned that the minimum parking lot requirements per each dwelling unit will not be met due to the reduced length of the required yard. The number of parking spaces is dependent upon the number of bedrooms in the multi-family unit. The Applicant has also not indicated the number of bedrooms in each multi-family unit so that Staff can determine whether the required off-street parking is met. Staff recommends the Applicant provide additional information and details demonstrating that the parking requirements can be met.

24. Section 7-803(C)(3)(b) Lot Requirements, Side Yard, Multi-Family Structures.

Provision: 10 feet minimum; 20 feet on corner lots.

Request: To permit a side yard of 5 feet for multi-family units in Traditional Design areas of the R-8 zoning district.

Staff Analysis: Staff questions how this modification meets or exceeds the public purpose or improves upon the existing regulation. Staff is concerned that this modification will limit the ability to place uses permitted in required side yards per Section 5-200 due to the reduced width. As written, this modification does not require any additional setback between buildings beyond 5 feet. Staff is concerned this will result in buildings too close to each other which raises issues of safety and adequate ingress and egress. Demonstrate how this modification will be implemented on the CDP and in which landbays it will apply.

25. Section 7-803(C)(3)(c) Lot Requirements, Rear Yard, Multi-Family Structures.

Provision: 25 feet minimum

Request: To permit a rear yard of 15 feet for multi-family units in the R-8 zoning district.

Staff Analysis: Staff questions how this request meets the Zoning Ordinance criteria for modifications. The Applicant states that the requested modifications create a "front door" character. Staff questions what the Applicant means by this statement and questions reducing the required yard by 10 feet reduces impervious surfaces and saves environmental features.

26. Section 7-803(E) Active Recreation Space

Provision: A minimum of 5,000 square feet of active recreation space shall be provided for each group of market-rate dwelling units of more than ten (10) units. An additional 100 square feet of such space shall be provided for each market-rate single family detached dwelling unit and 200 square feet of such space for each single family attached dwelling unit in excess of ten (10) units. All such space shall be accessible to all residents by means of internal pedestrian walkways.

Request: The Applicant requests that provisions be modified to permit the use of off-site amenities provided by Lansdowne and the National Conference Center.

Staff Analysis: Staff does not support the use of off-site amenities as a justification to meet all of the active recreation needs for this community. Staff notes that "recreation space, active" is defined in Article 8 of the Zoning Ordinance and definitions are not permitted to be modified. The Applicant is not permitted to count open space or active recreation space already dedicated in other developments to count toward the open space requirements in this Application. For areas administered as R-8, provide the active recreation space on the subject property in accordance with this Section.

27. Section 7-903(C)(1)(a) Lot Requirements, Front Yard, SFA

Provision: 15 foot minimum, except as provided for in traditional design developments pursuant to Section 3-606(C)(2).

Request: To permit a front yard of 10 feet for single family attached dwellings in the R-8 and R-16 zoning districts.

Staff Analysis: Staff questions how this modification request meets or exceeds the public purpose or improves upon the existing regulation. Staff is concerned that the minimum parking lot requirements of 3.0 spaces per dwelling unit will not be met due to the reduced length of the required yard. Staff recommends the Applicant provide additional information and details demonstrating that the parking requirements can be met.

28. Section 7-903(C)(1)(b) Lot Requirements, Side Yard, SFA

Provision: 8 feet minimum; 0 feet for interior units.

Request: To permit a side yard of 5 feet for single family attached dwellings in the R-16 zoning district.

Staff Analysis: Staff questions how this modification meets or exceeds the public

purpose or improves upon the existing regulation. Staff is concerned that this modification will limit the ability of a homeowner to place uses permitted in required side yards per Section 5-200 due to the reduced width. As written, this modification does not require any additional setback between buildings beyond 5 feet. Staff is concerned this will result in buildings too close to each other which raises issues of safety and adequate ingress and egress. Demonstrate how this modification will be implemented on the CDP and in which landbays it will apply.

29. Section 7-903(C)(1)(c) Lot Requirements, Rear Yard, SFA

Provision: 15 feet minimum

Request: To permit a rear yard of 15 feet for single family attached dwellings in the R-16 zoning district.

Staff Analysis: Staff notes that this modification is not required.

30. Section 7-903 (C)(2)(a) Lot Requirements, Front Yard, MF units.

Provision: 25 feet minimum

Request: To permit a front yard of 10 feet for MF units in the R-16 zoning district.

Staff Analysis: Staff questions how this modification meets or exceeds the public purpose or improves upon the existing regulation. Demonstrate how this modification will be implemented on the CDP and in which landbays it will apply. Also, indicate on the CDP which development design option each landbay is developed under (i.e. traditional vs suburban). In addition, Staff is concerned that the minimum parking lot requirements per each dwelling unit will not be met due to the reduced length of the required yard. The number of parking spaces is dependent upon the number of bedrooms in the multi-family unit. The Applicant has also not indicated the number of bedrooms in each multi-family unit so that Staff can determine whether the required off-street parking is met. Staff recommends the Applicant provide additional information and details demonstrating that the parking requirements can be met.

31. Section 7-903 (C)(2)(b) Lot Requirements, Side Yard, MF units.

Provision: 10 feet minimum; 25 minimum on corner lots.

Request: To permit a side yard of 5 feet for MF units in the R-16 zoning district.

Staff Analysis: Staff questions how this modification meets or exceeds the public purpose or improves upon the existing regulation. Staff is concerned that this modification will limit the ability to place uses permitted in required side yards per Section 5-200 due to the reduced width. As written, this modification does not require any additional setback between buildings beyond 5 feet. Staff is concerned this will

result in buildings too close to each other which raises issues of safety and adequate ingress and egress. Demonstrate how this modification will be implemented on the CDP and in which landbays it will apply.

32. Section 7-903(C)(2)(c) Lot Requirements, Rear Yard, MF units.

Provision: 25 feet minimum

Request: To permit a rear yard of 15 feet for MF units in the R-16 zoning district.

Staff Analysis: Staff questions how this request meets the Zoning Ordinance criteria for modifications. The Applicant states that the requested modifications create a “front door” character. Staff questions what the Applicant means by this statement and questions reducing the required yard by 10 feet reduces impervious surfaces and saves environmental features.

33. Section 7-903(D) Lot Coverage.

Provision: 60 percent maximum for MF units and 75 percent maximum for SFA units.

Request: Request to allow a maximum of 80 percent lot coverage within the R-16 zoning districts for all multi-family residential lots.

Staff Analysis: The Applicant states that this modification helps permit a pedestrian-oriented development, a traditional development design and facilitates the preservation of an unnamed tributary that crosses the subject property. Staff questions how increased lot coverage facilitates preservation of water features as an increase in building coverage creates an increase in impervious surface run-off that may ultimately flow into the unnamed tributary. Staff questions how this request meets the Zoning Ordinance criteria for modifications. In addition, Staff notes that the title of Roman Numeral IV on Page 11 of the Applicant’s Statement of Justification states they are requesting a modification to allow lot coverage of 80 percent in the R-8 and R-16 zoning districts. However, the applicant has not requested a modification to the R-8 lot coverage regulations nor mentions this in their proposed modification, subparagraph B. Please explain. Also, revise the Zoning Table on Sheet 5 of the CDP, as the table is missing the reference to the maximum lot coverage of 75 percent for SFA units.

34. Section 7-903(E) Active Recreation Space

Provision: A minimum of 5,000 square feet of active recreation space shall be provided for each group of ten (10) market-rate dwelling units. An additional 200 square feet of such space shall be provided for each market-rate single family attached dwelling unit in excess of ten (10) units. All such space shall be accessible to all residents by means of internal pedestrian walkways.

Request: The Applicant requests that provisions be modified to permit the use of off-site

amenities provided by Lansdowne and the National Conference Center.

Staff Analysis: Staff does not support the use of off-site amenities as a justification to meet all of the active recreation needs for this community. Staff notes that “recreation space, active” is defined in Article 8 of the Zoning Ordinance and definitions are not permitted to be modified. The Applicant is not permitted to count open space or active recreation space already dedicated in other developments to count toward the open space requirements in this Application. For areas administered as R-8, provide the active recreation space on the subject property in accordance with this Section.

F. PROFFERS

1. Staff notes that proffers were not submitted for review at this time. Pursuant to Section 6-1209(A), if there are any proffered conditions which the Applicant wishes to have considered with the application, they shall be submitted for staff review as part of the Applicant's response to the written report required by Section 6-1204(B). In no event shall the applicant's proposed statement of proffered conditions be submitted later than forty-five (45) calendar days prior to the scheduled public hearing before the Board of Supervisors. Nothing in this paragraph shall prevent the Board of Supervisors from approving an application subject to changes in proffers agreed to by an applicant at the public hearing so long as the change imposes a more restrictive standard and the ordinance adopted accurately reflects such changes.

Furthermore, pursuant to Section 6-1209(B), proffered conditions shall be signed by all persons having an ownership interest in the property and shall be notarized. Proffered conditions shall contain a statement that the owners voluntarily enter into the conditions contained therein.

The proffer statement must be written in a manner so that there is clarity in the proffers to allow for administration and enforcement. Pursuant to Section 6-1209(G), the Zoning Administrator shall be vested with all necessary authority on behalf of the Board of Supervisors to administer and enforce proffered conditions. Such authority shall include the ability to order, in writing, the remedy of any noncompliance with a proffered condition and the ability to bring legal action to ensure compliance including injunction, abatement, or other appropriate action or proceedings, as provided for in Section 6-500 of this Ordinance. Any person, group, company, or organization aggrieved by an interpretation of the Zoning Administrator may appeal such interpretation as defined by Section 6-1209(J) of this Ordinance.

Also, Staff notes that this property is subject to the Lansdowne zoning map amendment (ZMAP-1994-0001) and its subsequent ZCPAs, which remapped the property to PD-SA. The Applicant must address how this application affects the current proffers approved with Lansdowne. Staff notes a ZCPA may be required if revisions, additions or deletions to the proffers from the previous Lansdowne rezoning are proposed or are determined to be necessary.

G. CONCEPT DEVELOPMENT PLAN ISSUES

1. Add the application number, "ZMAP-2007-0004" to the Cover Sheet of the CDP.
2. Provide a typical lot layout detail illustrating the required yards, lot size, lot width, and setbacks for the SFA, SFD and multifamily units proposed in this development.
3. Label the street types on the CDP which serve the SFA, SFD and multifamily units.
4. On Sheet 3 of the CDP, Zoning Checklist Note #1a, references Section 4-805(D)(1), which is a PD-TC (Planned Development-Town Center) zoning district Section. Explain this reference citation.
5. Staff notes that this application proposes SFA, SFD and multifamily units. Staff notes that there are numerous Zoning Ordinance references on Sheet 5 of the CDP that are not relevant to this application which are unnecessary and confusing. As the Applicant is only providing three unit types, remove Zoning Ordinance references for unit types that are not proposed on this application.
6. Delete Notes #1 and #4 on Sheet 6 of the CDP as they are not necessary.

Attachment: A/S

cc: Mark Stultz, Deputy Zoning Administrator

rowen, ginny

From: Mosurak, Louis
Sent: Wednesday, September 30, 2009 3:48 PM
To: rowen, ginny
Cc: Beacher, Andrew
Subject: ZMAP 2007-0004 -- National Conference Center

Ginny – This email summarizes OTS's review of the Applicant's supplemental traffic analysis (dated/received 9/18/09) regarding the critical gap issue at the Upper Belmont Place/Riverpoint Drive intersection identified in OTS's previous comments dated 9/14/09. The Applicant's traffic consultant prepared this supplemental analysis following a conference call with OTS staff on 9/17/09.

The Applicant's 9/18/09 supplemental analysis uses a revised critical gap factor of 4.0 and 5.0 seconds for the side street (Riverpoint Drive) approaches for future conditions with development, instead of the 1.0 second critical gap figure used in the Applicant's previous (12/23/08) analysis. (Critical gap is the minimum time that allows a vehicle entry onto a major road from a minor road; Synchro software uses a standard average critical gap factor of between 5.0 and 7.0 seconds, while the Highway Capacity Manual (HCM) uses 7.1 seconds for left turns). With a 4.0 second critical gap, the AM peak hour LOS on westbound Riverpoint Drive at Upper Belmont Place is LOS C (average 24.9 seconds of delay), which is within an acceptable range (County policy states that LOS D or better is acceptable). When the critical gap factor is increased to 5.0 seconds, the AM peak hour LOS for the same movement decreases to LOS E (average of 47.0 seconds of delay), which is unacceptable. LOS would decrease to LOS F if the 7.1 second figure for left turns is used. The Applicant's consultant states that it is confident that the critical gap at this location will be no greater than 4.0 seconds.

OTS review of the 9/18/09 analysis finds it to be consistent with the discussion held with OTS staff on 9/17/09, and is closer to what may be expected under future conditions than the previous analysis. However, the Applicant's revised analysis presents a very optimistic scenario; with more conservative assumptions, that optimistic scenario would not be realized and acceptable LOS for the westbound movement would not be achieved. OTS believes that a 5.0 second critical gap is the most optimistic scenario that is likely to be realized under future conditions. The Applicant should propose mitigation measures to facilitate acceptable LOS at this intersection.

It is noted that the 9/18/09 analysis also included review of a four-way stop at this intersection; OTS does not recommend that such traffic control be installed at this location.

In response to your question regarding traffic counts from the existing National Conference Center facility, based on the volumes contained in the Applicant's 12/23/08 memo (Figure 1A) for the intersection at the site entrance (just inside the existing gatehouse), a rough estimate of 1,700 vehicles per day access the conference center (170 PM peak hour trips x 10). Please confirm this figure with the Applicant, and also confirm whether this figure reflects the recent ballroom expansion of the NCC facility per approved STPL 2005-0027.

Please let me know if you have any further questions.

Lou

Louis M. Mosurak, AICP
Senior Transportation Coordinator
Loudoun County Office of Transportation Services
1 Harrison Street, S.E., 4th Floor, MSC #69
Leesburg, VA 20177-7000
(703) 771-5296 FAX (703) 737-8513

From: Mosurak, Louis
Sent: Monday, September 14, 2009 6:34 PM
To: rowen, ginny
Cc: Smithson, Terri; beacher, andrew
Subject: ZMAP 2007-0004 -- National Conference Center (OTS 4th Referral Comments)
Attachments: Nat'l Conf Ctr ZMAP - Traffic Consultant Response Memo 12-23-08.pdf

Ginny -- This email serves as the 4th OTS referral on this rezoning application, and updates the status of issues identified in the previous (3rd) referral dated October 30, 2008. The application seeks approval to construct up to 212 residential units on the southern portion of the National Conference Center property, and would be accessed by an extension of Upper Belmont Place north of the existing conference center gatehouse.

OTS review is based on materials received from the Department of Planning on May 14, 2009, including (1) a response letter prepared by the Applicant, dated April 27, 2009; (2) revised proffers dated April 13, 2009, (3) a revised traffic memorandum dated December 23, 2008, and (4) a concept development plan (plan set) as revised through April 27, 2009.

In the 3rd OTS referral, Issues 1a -1e, 2 and 3 remained outstanding. Based on the submitted materials listed above, OTS review of these issues is as follows:

- 1a). (Lane Configuration Graphics for Upper Belmont Place/Riverpoint Drive intersection):
Graphics have been updated accordingly in the December 23, 2008 traffic memorandum. Issue resolved.
- 1b). (Road Network Graphics for Road "A" (Upper Belmont Place) Extension and Two-Way Road Access within existing NCC site): Graphics have been updated accordingly in the December 23, 2008 traffic memorandum. Issue resolved.
- 1c). (LOS Issues at Upper Belmont Place/Riverpoint Drive intersection): The previous (July 10, 2008) traffic analysis showed a failing AM peak hour LOS on westbound Riverpoint Drive at Upper Belmont Place under existing and total future conditions (both with and without a second ingress/egress to the site). At a meeting with the Applicant's representatives on November 21, 2008, it was agreed that the Applicant would conduct further analysis of this intersection (1) under an all-way stop condition, and (2) by means of actual field observations and counts. Analysis under an all-way stop condition has not been provided for staff review; the Applicant should explain why this was not presented. Regarding the critical gap analysis, the December 23, 2008 memorandum shows LOS A for all movements at this intersection during both the AM and PM peak hours using a critical gap of one second (critical gap is the delay between approaching vehicles that drivers attempting to enter the roadway will accept in order to pull out into oncoming traffic). OTS does not believe that the one second critical gap is realistic under existing or forecasted future conditions and requests further discussions with the Applicant. Issue not resolved.
- 1d). (Directional Split of Traffic via Road "A" Extension): Graphics have been updated accordingly and additional clarification has been provided in the December 23, 2008 traffic memorandum. Issue resolved.
- 1e). (Clarification/Reference to existing Lansdowne development): Comment acknowledged in the December 23, 2008 traffic memorandum. Issue resolved.

- 2). (Emergency Access between existing NCC and new residential area): Issue resolved per revisions to Sheets 4 and 5 of the plan set. OTS recommends that the gate or other barrier in this location be (1) clearly marked and (2) unable to be easily removed or circumvented except by emergency personnel.

(Two-Way Road Access within existing NCC site):
per Proffer VI. C.

Issue resolved from OTS's perspective,

- 3). (Road "A" (Upper Belmont Place) Extension to Kipheart Drive): OTS acknowledges that the Board of Supervisors will make the final determination regarding the exchange of any County-owned land necessary to construct this off-site connection. Provided that this second point of access to the proposed 212-unit development is provided, OTS considers this issue to be resolved. Without a second point of access, OTS cannot support approval of this application.

Please let me know if you have any questions regarding these comments. A copy of the Applicant's December 23, 2008 traffic memorandum is attached for reference.

Lou

Louis M. Mosurak, AICP
Senior Transportation Coordinator
Loudoun County Office of Transportation Services
1 Harrison Street, S.E., 4th Floor, MSC #69
Leesburg, VA 20177-7000
(703) 771-5296 FAX (703) 737-8513

County of Loudoun

Office of Transportation Services

MEMORANDUM

DATE: October 30, 2008

TO: Ginny Rowen, Project Manager
Department of Planning

FROM: Lou Mosurak, AICP, Senior Transportation Planner

THROUGH: Art Smith, Senior Coordinator

SUBJECT: ZMAP 2007-0004—National Conference Center (Residential)
Third Referral

Background

This referral serves as an update to the status of issues identified in the second OTS referral on this application (dated April 21, 2008). This application proposes to rezone approximately 46 acres of the 112-acre National Conference Center property in Lansdowne from PD-SA (Planned Development—Special Activities) to PD-H4 (Planned Development—Housing) in order to develop up to 212 residential units (45 detached, 105 townhouse, and 62 multi-family dwelling units). Based on standard trip generation rates, the development as currently proposed would generate a total of 1,736 daily vehicle trips (VPD), including 129 AM peak hour trips and 167 PM peak hour trips. A vicinity map is provided as *Attachment 1*. Primary site access is provided via Upper Belmont Place north from Riverside Parkway, with a new secondary access proposed via an extension of Upper Belmont Place as a public road (on a new alignment) from the location of the existing National Conference Center gatehouse to existing Kipheart Drive opposite Carradoc Farm Terrace (this new roadway would cross County-owned property (part of Lansdowne Sports Park), as depicted in *Attachment 2*). All other roads within the proposed residential development would be privately maintained. The Applicant proposes to convert much of the existing one-way loop (currently part of Upper Belmont Place) serving the adjacent National Conference Center (NCC) facility to accommodate two-way traffic (the roadway would remain private).

This update is based on review of materials received from the Department of Planning on October 1, 2008, including (1) a letter responding to second referral comments, dated September 19, 2008; (2) a revised statement of justification (SOJ), dated August 29, 2008; (3) a draft proffer statement, dated March 8, 2008; and (4) a rezoning concept plan (plan set) prepared by William H. Gordon Associates, Inc., dated July 2007 and revised through September 19, 2008, as well as (5) a memorandum/response letter prepared by the Applicant's traffic consultant (Gorove/Slade Associates, Inc.), dated July 10, 2008. The traffic consultant's memorandum/response letter was provided by the Applicant's representative on October 8, 2008 upon request from OTS staff.

Summary of Applicant's Traffic Memorandum/Response Letter

The submitted traffic memorandum/response letter (dated July 10, 2008) provided responses to Comments #1 and #2 from the second OTS referral on this application (dated April 21, 2008). This document is provided as *Attachment 3*. The Applicant's traffic consultant conducted traffic counts at the intersection of Upper Belmont Place and Riverpoint Drive in June 2008. The memo indicates that the westbound Riverpoint Drive approach to the intersection is currently operating at failing levels of service (LOS F) in both the AM and PM peak hours, and that the LOS category is not projected to degrade further in either the AM or PM peak hours under future conditions with the proposed development (delays would be significantly increased, however). The memo notes that with the addition of a secondary access point to the subject property (i.e., the proposed extension of Upper Belmont Place through the site to Kipheart Drive), the westbound Riverpoint Drive approach at Upper Belmont Place would still operate at LOS F in both the AM and PM peak hours, but with less delay than if there were only one entrance to the proposed development. Both the AM and PM peak hour delay on this approach to the intersection would still be significantly increased over existing conditions. Further discussion of the memo is provided below.

Status of Transportation Issues/Comments

Staff comments from the first and second OTS referrals as well as the Applicant's responses (quoted directly from its March 6, 2008 and September 19, 2008 response letters) and current issue status, are provided below.

1. **Initial Staff Comment (1st Referral):** After review of the submitted traffic study, staff requests that the Applicant provide existing and future traffic analyses for the intersection of Upper Belmont Place and Riverpoint Drive. Based on the traffic counts provided for the intersection of Belmont Ridge Road/Upper Belmont Place and Riverside Parkway (see *Attachment 5 in the first OTS referral*), there appears to be significant existing traffic volumes at the intersection of Upper Belmont Place and Riverpoint Drive (approximately 8,000 ADT use the segment of Upper Belmont Place between Riverside Parkway and Riverpoint Drive; this amount is anticipated to increase to approximately 14,540 ADT by project buildout in 2011 (see *Attachment 9 in the first OTS referral*)).

Applicant's Response (March 2008): *The Applicant respectfully points out that the proposed development traffic constitutes 13.5 percent of the total projected traffic by 2011 along Upper Belmont Place. Further, the development proposal reduces the am, pm, and average daily trips on the regional roadway network in comparison to the approved PD-SA zoning on the Property. Therefore, there is no need to require the Applicant to study this intersection since the development's traffic contribution will have a de minimus or negligible impact.*

Issue Status (2nd Referral): Staff reiterates its request for existing and buildout year (2011) analysis of the Upper Belmont Place/Riverpoint Drive intersection. All site traffic for the existing conference center and the proposed residential development must pass through this intersection. Based on figures contained in Figures 7 & 8 of the Applicant's July 9, 2007 traffic study (see *Attachments 8 & 9 in the first OTS referral*), site-generated

traffic will make up approximately 47% of total future traffic on the segment of Upper Belmont Place just outside of the existing gatehouse (1,490 site-generated VPD / 3,190 total future (2011) VPD = 46.7%). Further, the Applicant's trip generation comparison of the proposed residential uses versus other unbuilt (office) uses approved for the site does not accurately represent the future traffic volumes that would be realized should the subject application be approved. Increased traffic volumes above existing levels will result from the proposed residential units. Issue not resolved.

Applicant's Response (September 2008): Per OTS Staff's request, traffic counts were conducted at the intersection of Upper Belmont Place and Riverpoint Drive on Wednesday, June 11, 2008. Since the traffic counts at the intersection of Upper Belmont Place and Riverside Parkway were conducted in May 2007, the traffic counts were balanced based on the latest intersection counts. The results of the existing conditions capacity analysis are shown in Table 1 [included in Attachment 3]. Figures 1A and 1B [included in Attachment 3] show the existing traffic volumes and capacity analysis results.

In the original traffic study dated July 9, 2007, under future without development conditions, Phase I of the Lansdowne Village Greens development was assumed to be entirely undeveloped. Phase I [is] comprised of approximately 962 single family detached units, 642 single family attached units, [and] 645 multi-family units for a total of 2,249 residential units. The Loudoun County Growth Summary for the year 2007 shows that approximately 73% of the Lansdowne Village Greens residential development is complete. [The] majority of the residential land bays surrounding the Lansdowne National Conference Center are fully built out. Hence, the traffic projections for the future with and without development conditions (2011) were updated based on the latest counts and information from the Loudoun County Annual Growth Summary. The capacity analysis results for future conditions with development (2011) are shown in Table 2 [included in Attachment 3].

The analysis reveals that there is no change in the levels of service from existing conditions to future with development conditions. Gaps will be created by the downstream intersection for the westbound [Riverpoint Drive] left turn traffic. In addition, the traffic generated by the proposed development does not contribute to the failing movement [westbound Riverpoint Drive at Upper Belmont Place]. Figures 2A and 2B [included in Attachment 3] shows the volumes and level of service for future conditions [for the] with development scenario.

A connection is being proposed from Upper Belmont Place to Kipheart Drive (part of the Lansdowne Village Green development). This will enable residents living in close vicinity (approximately 65 single family detached houses) to use Upper Belmont Place instead of Riverpoint Drive as their primary access route. Existing traffic is rerouted and is graphically displayed in Figure 3A [included in Attachment 3]. The capacity analysis results are shown in Table 3 and graphically in Figure 3B [included in Attachment 3].

The analysis reveals that with the connection of Upper Belmont Place to Kipheart Drive and rerouting of existing traffic, the vehicular delay experienced at the intersection of

Upper Belmont Place and Riverpoint Drive improves as shown in Table 3 [included in Attachment 3].

Current Issue Status: OTS staff appreciates the Applicant's revisions to the proposal as well as the traffic counts and analysis at the Upper Belmont Place/Riverpoint Drive intersection. After review, however, OTS staff notes the following errors/omissions in the Applicant's July 10, 2008 traffic memorandum/response letter [Attachment 3]:

- (1) Existing lane configuration and traffic control at the Upper Belmont Place/Riverpoint Drive intersection are not accurately depicted (Figure 1B). The same inaccurate lane configuration is also depicted for future conditions with one and two entrances to the proposed development (Figures 2B and 3B, respectively).
- (2) Graphics in the item do not reflect the road network as it is currently proposed and depicted on the rezoning plat. Neither the proposed connection of Upper Belmont Place through to Kipheart Drive nor reconfiguration of proposed access to the NCC campus as a two-way roadway is illustrated. Site generated traffic volumes based on the currently proposed road network and directional split (assuming two ingress/egress points) are also not shown.
- (3) The item's discussion of existing versus future LOS at the Upper Belmont Place/Riverpoint Drive intersection is misleading. While the peak hour LOS category will not change for the westbound Riverpoint Drive approach to the intersection (as it is already at LOS F), both the AM and PM peak hour delay will increase significantly from existing levels with the addition of the proposed development, even with the extension of Upper Belmont Place through the site. The "downstream" signal (at the Upper Belmont Place/Riverside Parkway intersection) is already in place, and additional site-generated traffic on Upper Belmont Place will further reduce the existing gaps which allow vehicles to proceed from this westbound approach, causing the additional forecast delays shown in Tables 2 and 3 of the item (when compared to the existing delay shown in Table 1).
- (4) There is a lack of specificity regarding the amount/origin and directional split of traffic forecast to be "re-routed" via Upper Belmont Place as a result of the proposed connection through the site to Kipheart Drive. The memo mentions "approximately 65 single family detached houses" ... "in close vicinity of Kipheart Drive" (which OTS staff assumes to be those dwellings along Kipheart Drive north of Carradoc Farm Terrace and along Ridgeback Place east of Kipheart Drive), but does not provide any rationale for limiting the "split" to only those units. Graphics do not depict the existing ingress/egress route for these existing residential uses and the directional split of their generated traffic once it reaches the Kipheart Drive/Riverpoint Drive intersection.

- (5) The memo incorrectly implies that the existing residential development along Kipheart Drive is part of the Lansdowne Village Greens project. These units are part of the overall Lansdowne on the Potomac development. Lansdowne Village Greens (ZMAP 2003-0006, approved February 2005) is located entirely to the south of Riverside Parkway and was approved for only 545 residential units, far fewer than the amount indicated in the memo.

The above items need to be corrected and included in a revised response letter for OTS and VDOT review. The Applicant should identify mitigation measures for the Upper Belmont Place/Riverpoint Drive intersection, through which significant additional traffic from this development will pass. Further discussion with the Applicant is necessary. Issues not resolved.

2. Initial Staff Comment (1st Referral): The proposed configuration of the residential development and road network would result in all conference center traffic (including trucks and other service vehicles) having to pass through the residential area (the Applicant is requesting a Zoning Modification to allow such a configuration). The proposed road network would create numerous conflicts between the residential uses and commercial traffic, though the Applicant's justification for the proposed ZMOD makes no mention of such issues. OTS recommends that the site be re-designed to provide separate conference center access that does not traverse the proposed residential development. Further discussion on this matter is necessary.

Applicant's Response (March 2008): Additional access would be difficult to provide given the topography, the environmentally sensitive areas on the Property, and the lack of ownership of the surrounding area. The Applicant assumes Road "A" and Road "B" as public roads will create a smoother traffic flow and more efficient traffic pattern to accommodate residential and commercial traffic in a safe environment.

Issue Status (2nd Referral): OTS staff recognizes the site constraints that exist on the property, but notes that these constraints – largely the effect of the existing, established development surrounding the site – categorize this application as an infill development. As such, County policy calls for review of the proposal "based on how the proposed use functions on the site relative to the established development pattern, rather than simply based on the use itself" (*Revised General Plan, Page 6-15, Policy 1*). From a transportation perspective, the issue in this case is the retrofitting of a new residential neighborhood onto a street network that serves as the only access to/from a major non-residential use (the existing conference center), and the impacts that the traffic to/from the conference center would have on the future residents of the proposed residential units along Road "A" and, to a much greater extent, Road "B". County policy states that "direct vehicular access is discouraged between individual residential and commercial lots" (*Revised Countywide Transportation Plan, Page 3-15, Policy 5*); in this case, the proposed direct connection between residential and non-residential uses (and the resultant conflicts) would be on a much larger scale. Staff notes that no residential dwellings currently front on any other segment of Upper Belmont Place, with the roadway essentially functioning as a collector road rather than as a local subdivision street. While

the Applicant's revisions noting that Roads "A" and "B" will be constructed to public (VDOT) standards provide some clarification beyond the initial submittal, the Applicant should provide data on the number and types of commercial vehicles (trucks, buses, delivery vehicles, etc.) that access the conference center on a daily basis; staff would like to review this information to determine the degree of potential conflicts between residential and commercial traffic that will result if this application is approved in its current form (future traffic calming measures on Road "B" would likely be necessary). Staff reiterates its suggestion that the Applicant explore the possibility of constructing a road connection to allow for traffic exiting the conference center to bypass Road "B" (i.e., accommodating two-way conference center traffic on Road "A" only, and/or constructing a road for exiting conference center traffic that circumvents the proposed residential development to the south). This will likely require a significant redesign of the site and the existing access to the conference center. Issues not resolved.

From the illustrative plan (Sheet 9 of the plan set), it appears that none of the residential units proposed along Road "B" will be accessed directly from the road (i.e., rear alley and/or parking lot access appears to be provided). Should this application be considered for approval as currently proposed, staff recommends that the Applicant commit to a prohibition of direct access to Road "B" for single family detached residential units (i.e., commit to rear-loaded units only) (single family attached and multi-family units are not permitted to directly access public roads per County and VDOT regulations). The Applicant should also agree to provide sufficient off-street parking for each unit so that on-street parking – and potential conflicts with conference center traffic – is minimized to the extent possible. On-street parking restrictions along Road "B" should also be considered.

Applicant's Response (September 2008): The property currently contains two surface parking lots, which serve the National Conference Center (NCC) facilities on the northern portion of the parcel. The existing traffic circulation along Upper Belmont Place, which only serves the National Conference Center (NCC) today, will be modified. Upper Belmont Place will be converted to a two-lane roadway in order to serve the proposed residential development on the southern portion of the parcel. However, Upper Belmont Place will continue to serve as a one-way road in order to serve the National Conference Center (NCC) facilities on the northern portion of the parcel. Hence, the vehicles per day calculated are the total of existing traffic using the conference center facility along with traffic generated by the proposed residential development. The forecasted daily traffic volumes (PM peak hour volumes x 10), shown on the figures in the traffic study, include existing traffic and traffic generated by the proposed residential development. The revised traffic volumes are shown in Figures 2A and 3A [included in Attachment 3].

Current Issue Status: Revisions to the application, namely the proposed second entrance to the site as well as reconfiguration of access to the NCC campus to a two-way roadway, have rendered many of the OTS's previous concerns within Comment #2 moot. As noted in Comment #1 above, however, the Applicant needs to update its traffic study graphics to reflect the currently proposed road network as well as to include separate illustrations of the site-generated traffic versus total future traffic from the site, the NCC facility, and other background development.

Many of the concerns previously noted by OTS staff within Comment #2 stemmed from conference center traffic necessarily having to pass through the proposed residential development in order to exit the site. While the addition of a second site entrance and proposed reconfiguration of the conference center access road to accommodate two-way traffic certainly improve the application, there are still two specific issues which need to be addressed. First, the Applicant needs to ensure that there would be no access to/from the NCC campus via Private Road "B" in the proposed development (except for potential emergency vehicle access). To this end, the Applicant should remove the note on Sheets 4 and 5 of the plat which indicate the potential for a future connection between Private Road "B" and sportsplex parking areas within the PD-SA zoning district. Second, the Applicant should provide a specific mechanism/assurance to the County that the portion of the existing NCC access road proposed to be converted to accommodate two-way traffic will be functional in that regard and in place prior to occupancy of the first residential unit within the proposed development. Further discussion on this matter is necessary. Issues not resolved.

3. Initial Staff Comment (1st Referral): The application proposes to allow all 219 residential units to use a single point of access. This amount is nearly three times the maximum of 80 units that are permitted by the Zoning Ordinance. Given the number of units proposed to use this sole access point, as well as the additional conference center traffic that will need to traverse the residential development, OTS believes that additional ingress and egress points should be studied. Further discussion on this matter is necessary.

Applicant's Response (March 2008): As discussed above, additional access would be difficult to provide given the topography, the environmentally sensitive areas on the Property, and the lack of ownership of the surrounding area. Further, the proposed development will reduce traffic volumes by 70 percent on a daily basis and Roads "A" and "B" have been redesigned as public streets to accommodate traffic.

Issue Status (2nd Referral): The Applicant's contention that traffic volumes will be reduced does not accurately represent the proposed condition if this application were to be approved; additional traffic on the existing road network will result from the 216 residential units. Even with the revisions to the application specifying that Roads "A" and "B" will be public roads, all site traffic (from 216 residential units) will access the existing public road network (Upper Belmont Place) via a single point. The 216 units proposed to use this single point of access is nearly three times the 79 units that are allowed via a single access point per the Zoning Ordinance; OTS believes that this amount is excessive – particularly when combined with the existing conference center traffic that would also use this single ingress/egress point. OTS therefore cannot support the requested zoning modification to allow more than 79 units to utilize a single point of access. OTS recommends that additional access points to the residential units be explored, as well as the provision of alternate access (as described in Comment #2 above) to allow conference center traffic to bypass the residential neighborhood. Issue not resolved.

Applicant's Response (September 2008): Comment acknowledged. Please see Sheet 4 of the revised CDP which shows a proposed second access to the Property.

Current Issue Status: OTS staff appreciates the Applicant's proposal to add a second means of ingress/egress between the proposed development and existing NCC campus and the surrounding street network (i.e., an extension of Upper Belmont Place through the site, connecting with Kipheart Drive opposite Carradoc Farm Terrace). As noted in the Applicant's Statement of Justification, however, this second connection crosses County-owned property (PIN # 081-45-4849, part of Lansdowne Sports Park) for which easements would need to be granted in order for the road to be constructed. The location of this proposed road connection is depicted on *Attachment 2*. OTS defers to other County departments and agencies regarding zoning and other functional issues that may arise as a result of this road connection. While it is the Board of Supervisors that will ultimately decide on whether to grant the necessary easements to construct this road connection and/or whether to approve this application in some form, lack of this second road connection to the site would require approval of a Zoning Modification to allow all 212 proposed residential units (plus NCC campus traffic) to use a single point of access. As noted in the previous referral, OTS could not support such a scenario. Further discussion of specific issues related to the potential road connection across County-owned property is necessary. Issues not resolved.

4. Initial Staff Comment (1st Referral): The plan set should clearly state that all roads within the proposed development are to be private (not publicly maintained) and will be built to applicable Loudoun County Facilities Standards Manual (FSM) standards. Typical sections for each roadway type (category) should be included in the plan set. If the design of the road network as proposed is to be retained, Roads "A" and "B" may need to be designed and built to VDOT (public) road standards as these roads serve a use (conference center) that is not permitted in the PD-H4 zoning district (OTS defers to Zoning Administration regarding the need for public roads).

Applicant's Response (March 2008): The CDP has been revised to show Roads "A" and "B" as public roads. The Applicant would also like to point out that Sheet 6 of the CDP includes typical road sections for all roadways.

Issue Status (2nd Referral): OTS defers to Zoning Administration as to whether the delineation of Roads "A" and "B" as public roads addresses the zoning/use issue previously identified in the first referral. Clarification that proposed Road "A" will match the existing section of Upper Belmont Place and the inclusion of more detailed typical road sections are appreciated. Issue resolved from the perspective of OTS.

Applicant's Response (September 2008): Comment acknowledged. Zoning Administration comments have been addressed elsewhere in this letter.

Current Issue Status: OTS staff has no further comments. Issue resolved.

5. Initial Staff Comment (1st Referral): The Applicant should indicate as to whether the existing conference center gatehouse will be relocated to a point further north on Upper Belmont Place or if it will remain in its current location (the latter scenario would place the proposed residential units within the gated area). The location of the proposed conference center parking garage, while located outside of the rezoning area, should also be indicated so its relationship to the proposed residential units can be determined.

Applicant's Response (March 2008): *As the final engineering for the gatehouse and parking garage has yet to be determined, the Applicant believes it is premature to commit to a location at this time. The Applicant submits that the 50-foot Type III buffer will provide adequate buffering and screening from non-residential uses on the PD-SA portion of the Property.*

Issue Status (2nd Referral): With the revisions to construct Roads "A" and "B" to public (VDOT) standards, the existing gatehouse must be moved to a point beyond the end of the public segment of Road "A"; this relocation would therefore not impact this application (the Applicant on Sheet 10 of the plan set acknowledges that the gatehouse will need to be relocated). The Applicant should ensure that the ultimate gatehouse location will not conflict with VDOT standards for the cul-de-sac at the end of Road "A" (a ZMOD is requested to reduce the minimum distance that the gatehouse may be located from to the proposed ROW). OTS has no issues with the proximity of the approved conference center parking garage to the site. Issues resolved.

Applicant's Response (September 2008): *Comment acknowledged and appreciated.*

Current Issue Status: OTS staff has no further comments. Issue resolved.

6. Initial Staff Comment (1st Referral): OTS staff appreciates the inclusion of the sidewalk and pedestrian trail network shown on the plan set. The Applicant should also identify and provide pedestrian connections between the proposed development and adjacent sections of Lansdowne as appropriate, including a pedestrian connection along the west side of Upper Belmont Place to the entrance to Belmont Ridge Middle School. All pedestrian connections should be constructed to AASHTO standards were appropriate.

Applicant's Response (March 2008): *The revised CDP includes a sidewalk along the west side of Upper Belmont Place to Belmont Ridge Middle School. However, connections between the proposal and Lansdowne are limited due to environmental constraints and existing topography.*

Issue Status (2nd Referral): OTS appreciates the inclusion of sidewalks along both sides of Upper Belmont Place between the site and Belmont Ridge Middle School. These sidewalks should be constructed to match other existing sidewalks in the vicinity of the school. The Applicant should explain, however, why the trail between the neighborhood to the conference center (shown on the previous version of the plan set in the north-central portion of the site) has been eliminated. Issue resolved pending adequate explanation of the trail issue.

Applicant's Response (September 2008): Comment acknowledged. Sheet 7 of the CDP has been revised to show the referenced trail connection.

Current Issue Status: The site layout has been revised and trail connection between the proposed residential development and the existing NCC campus is again shown. Issue resolved.

New Issues (Initially Raised in Second Referral)

7. Initial Staff Comment (2nd Referral): The Applicant should clarify the discrepancy in buildout year (2011) trip generation figures between the ITE rates cited in the traffic study and addendum (1,945 VPD) (see Attachment 2 in the second OTS referral) and the site-generated forecasted volumes on Upper Belmont Place immediately outside of the existing gatehouse (approximately 1,490 VPD) noted in the traffic study (PM peak hour forecasted volumes x 10) (as shown on traffic study Figure 7 (Attachment 8 in the first OTS referral)).

Applicant's Response (September 2008): Figure 7 in the traffic study reflects the trips generated by the proposed development only. Daily traffic volume is not shown on Figure 7. Figure 8 shows future traffic volumes with the proposed development, which includes existing (conference center traffic) and site generated traffic volume. The 1,490 daily trips (west side) and the 2,340 daily trips (east side) combined together reflect the future volumes with development. Hence, there is a discrepancy, as the volumes shown are the future traffic volumes, not site generated volumes only.

Issue Status: OTS staff appreciates the clarification regarding the initial traffic study. As noted in Comments #1 and #2 above, however, there are new traffic-related issues that need to be addressed by the Applicant, including the provision of accurate graphics. Issue not resolved.

8. Initial Staff Comment (2nd Referral): Staff appreciates the Applicant's proposed transit contribution of \$500.00 per residential unit (total of \$108,000.00). However, since the time that Applicants began offering the \$500.00 per unit transit contribution several years ago, the cost of a commuter bus has increased by approximately 15% (from \$418,611.00 in 2003 to \$480,161.00 in 2008). Staff recommends that the Applicant's per unit contribution be increased by a corresponding percentage to reflect the County's increased capital costs.

Applicant's Response (September 2008): Comment acknowledged. As provided in the revised draft Proffers, the Applicant has increased the per unit transit contribution by 15% to \$575.

Issue Status: The Applicant's revised per unit contribution is appreciated. Issue resolved.

Conclusion

While the Applicant has made significant revisions to the application, new issues (identified in Comments #1, #2, and #3 above) have resulted from these changes and need to be addressed. OTS cannot support approval of this application in its current form. OTS staff is available to meet with the Applicant to discuss these comments.

ATTACHMENTS

1. Site Vicinity Map
2. Location Map Depicting Proposed Road Connection through County-Owned Property (Lansdowne Sports Park)
3. Applicant's Traffic Memorandum/Response Letter (July 10, 2008)

cc: Andrew Beacher, Assistant Director, OTS
Nancy Gourley, Transit Division Manager, OTS
Charles Acker, Transportation Operations/Engineering, OTS
Rory Toth, Planner, Zoning Administration, Building & Development
Tom VanPoole, Senior Transportation Engineer, VDOT

County of Loudoun
Office of Transportation Services
MEMORANDUM

DATE: April 21, 2008

TO: Ginny Rowen, Project Manager
Department of Planning

FROM: Lou Mosurak, AICP, Senior Transportation Planner

THROUGH: Art Smith, Senior Coordinator

SUBJECT: ZMAP 2007-0004—National Conference Center (Residential)
Second Referral

Background

This referral serves as an update to the status of issues identified in the first OTS referral on this application (dated November 1, 2007). This application proposes to rezone approximately 46 acres of the 112-acre National Conference Center property in Lansdowne from PD-SA (Planned Development—Special Activities) to PD-H4 (Planned Development—Housing) in order to develop up to 216 residential dwelling units (a decrease from the 219 dwelling units previously proposed). The development as currently proposed would generate a total of 1,945 daily vehicle trips (VPD), including 121 AM peak hour trips and 148 PM peak hour trips. A vicinity map is provided as *Attachment 1*. Access to the site is provided via Upper Belmont Place north from Riverside Parkway. Some portions of Upper Belmont Place that are currently one-way would be converted to two-way traffic in order to serve the proposed residential units.

This update is based on review of materials received from the Department of Planning on March 10, 2008, including (1) a letter responding to first referral comments, dated March 6, 2008; (2) a revised statement of justification (SOJ), dated March 6, 2008; (3) a draft proffer statement, dated March 6, 2008; (4) a traffic study update (revised trip generation comparison) prepared by Gorove/Slade Associates, Inc., dated March 6, 2008; and (5) a rezoning concept plan (plan set) prepared by William H. Gordon Associates, Inc., dated July 2007 and revised through February 14, 2008.

Review of Submitted Traffic Study Update

The Applicant submitted an updated trip generation comparison due to the removal of three (3) proposed townhouse units from the application (the rezoning now proposes up to 50 single family detached units and up to 166 single family attached (townhouse) units. This reduced number of units would result in slightly fewer daily and peak hour trips, and would not affect the LOS analyses presented in the study reviewed as part of the first OTS referral

(dated November 1, 2007). The Applicant's submitted traffic study update (trip generation comparison) is provided as *Attachment 2*.

Status of Transportation Issues/Comments

Staff comments from the first referral, along with the Applicant's response (quoted directly from its March 6, 2008 response letter) and issue status, are provided below.

1. **Initial Staff Comment:** After review of the submitted traffic study, staff requests that the Applicant provide existing and future traffic analyses for the intersection of Upper Belmont Place and Riverpoint Drive. Based on the traffic counts provided for the intersection of Belmont Ridge Road/Upper Belmont Place and Riverside Parkway (see *Attachment 5 in first OTS referral*), there appears to be significant existing traffic volumes at the intersection of Upper Belmont Place and Riverpoint Drive (approximately 8,000 ADT use the segment of Upper Belmont Place between Riverside Parkway and Riverpoint Drive; this amount is anticipated to increase to approximately 14,540 ADT by project buildout in 2011 (see *Attachment 9 in the first OTS referral*)).

Applicant's Response: The Applicant respectfully points out that the proposed development traffic constitutes 13.5 percent of the total projected traffic by 2011 along Upper Belmont Place. Further, the development proposal reduces the am, pm, and average daily trips on the regional roadway network in comparison to the approved PD-SA zoning on the Property. Therefore, there is no need to require the Applicant to study this intersection since the development's traffic contribution will have a de minimus or negligible impact.

Issue Status: Staff reiterates its request for existing and buildout year (2011) analysis of the Upper Belmont Place/Riverpoint Drive intersection. **All site traffic for the existing conference center and the proposed residential development must pass through this intersection.** Based on figures contained in Figures 7 & 8 of the Applicant's July 9, 2007 traffic study (see *Attachments 8 & 9 in the first OTS referral*), site-generated traffic will make up approximately 47% of total future traffic on the segment of Upper Belmont Place just outside of the existing gatehouse (1,490 site-generated VPD / 3,190 total future (2011) VPD = 46.7%). Further, the Applicant's trip generation comparison of the proposed residential uses versus other unbuilt (office) uses approved for the site does not accurately represent the future traffic volumes that would be realized should the subject application be approved. Increased traffic volumes above existing levels will result from the proposed residential units. Issue not resolved.

2. **Initial Staff Comment:** The proposed configuration of the residential development and road network would result in all conference center traffic (including trucks and other service vehicles) having to pass through the residential area (the Applicant is requesting a Zoning Modification to allow such a configuration). The proposed road network would create numerous conflicts between the residential uses and commercial traffic, though the Applicant's justification for the proposed ZMOD makes no mention of such issues. OTS recommends that the site be re-designed to provide separate conference center access

that does not traverse the proposed residential development. Further discussion on this matter is necessary.

Applicant's Response: Additional access would be difficult to provide given the topography, the environmentally sensitive areas on the Property, and the lack of ownership of the surrounding area. The Applicant assumes Road "A" and Road "B" as public roads will create a smoother traffic flow and more efficient traffic pattern to accommodate residential and commercial traffic in a safe environment.

Issue Status: OTS staff recognizes the site constraints that exist on the property, but notes that these constraints – largely the effect of the existing, established development surrounding the site – categorize this application as an infill development. As such, County policy calls for review of the proposal "based on how the proposed use functions on the site relative to the established development pattern, rather than simply based on the use itself" (*Revised General Plan, Page 6-15, Policy 1*). From a transportation perspective, the issue in this case is the retrofitting of a new residential neighborhood onto a street network that serves as the only access to/from a major non-residential use (the existing conference center), and the impacts that the traffic to/from the conference center would have on the future residents of the proposed residential units along Road "A" and, to a much greater extent, Road "B". County policy states that "direct vehicular access is discouraged between individual residential and commercial lots" (*Revised Countywide Transportation Plan, Page 3-15, Policy 5*); in this case, the proposed direct connection between residential and non-residential uses (and the resultant conflicts) would be on a much larger scale. Staff notes that no residential dwellings currently front on any other segment of Upper Belmont Place, with the roadway essentially functioning as a collector road rather than as a local subdivision street. While the Applicant's revisions noting that Roads "A" and "B" will be constructed to public (VDOT) standards provide some clarification beyond the initial submittal, the Applicant should provide data on the number and types of commercial vehicles (trucks, buses, delivery vehicles, etc.) that access the conference center on a daily basis; staff would like to review this information to determine the degree of potential conflicts between residential and commercial traffic that will result if this application is approved in its current form (future traffic calming measures on Road "B" would likely be necessary). Staff reiterates its suggestion that the Applicant explore the possibility of constructing a road connection to allow for traffic exiting the conference center to bypass Road "B" (i.e., accommodating two-way conference center traffic on Road "A" only, and/or constructing a road for exiting conference center traffic that circumvents the proposed residential development to the south). This will likely require a significant redesign of the site and the existing access to the conference center. Issues not resolved.

From the illustrative plan (Sheet 9 of the plan set), it appears that none of the residential units proposed along Road "B" will be accessed directly from the road (i.e., rear alley and/or parking lot access appears to be provided). Should this application be considered for approval as currently proposed, staff recommends

that the Applicant commit to a prohibition of direct access to Road “B” for single family detached residential units (i.e., commit to rear-loaded units only) (single family attached and multi-family units are not permitted to directly access public roads per County and VDOT regulations). The Applicant should also agree to provide sufficient off-street parking for each unit so that on-street parking – and potential conflicts with conference center traffic – is minimized to the extent possible. On-street parking restrictions along Road “B” should also be considered.

3. Initial Staff Comment: The application proposes to allow all 219 residential units to use a single point of access. This amount is nearly three times the maximum of 80 units that are permitted by the Zoning Ordinance. Given the number of units proposed to use this sole access point, as well as the additional conference center traffic that will need to traverse the residential development, OTS believes that additional ingress and egress points should be studied. Further discussion on this matter is necessary.

Applicant's Response: As discussed above, additional access would be difficult to provide given the topography, the environmentally sensitive areas on the Property, and the lack of ownership of the surrounding area. Further, the proposed development will reduce traffic volumes by 70 percent on a daily basis and Roads “A” and “B” have been redesigned as public streets to accommodate traffic.

Issue Status: The Applicant's contention that traffic volumes will be reduced does not accurately represent the proposed condition if this application were to be approved; additional traffic on the existing road network will result from the 216 residential units. Even with the revisions to the application specifying that Roads “A” and “B” will be public roads, all site traffic (from 216 residential units) will access the existing public road network (Upper Belmont Place) via a single point. The 216 units proposed to use this single point of access is nearly three times the 79 units that are allowed via a single access point per the Zoning Ordinance; OTS believes that this amount is excessive – particularly when combined with the existing conference center traffic that would also use this single ingress/egress point. OTS therefore cannot support the requested zoning modification to allow more than 79 units to utilize a single point of access. OTS recommends that additional access points to the residential units be explored, as well as the provision of alternate access (as described in Comment #2 above) to allow conference center traffic to bypass the residential neighborhood. Issue not resolved.

4. Initial Staff Comment: The plan set should clearly state that all roads within the proposed development are to be private (not publicly maintained) and will be built to applicable Loudoun County Facilities Standards Manual (FSM) standards. Typical sections for each roadway type (category) should be included in the plan set. If the design of the road network as proposed is to be retained, Roads “A” and “B” may need to be designed and built to VDOT (public) road standards as these roads serve a use (conference center) that is not permitted in the PD-H4 zoning district (OTS defers to Zoning Administration regarding the need for public roads).

Applicant's Response: The CDP has been revised to show Roads "A" and "B" as public roads. The Applicant would also like to point out that Sheet 6 of the CDP includes typical road sections for all roadways.

Issue Status: OTS defers to Zoning Administration as to whether the delineation of Roads "A" and "B" as public roads addresses the zoning/use issue previously identified in the first referral. Clarification that proposed Road "A" will match the existing section of Upper Belmont Place and the inclusion of more detailed typical road sections are appreciated. Issue resolved from the perspective of OTS.

5. **Initial Staff Comment:** The Applicant should indicate as to whether the existing conference center gatehouse will be relocated to a point further north on Upper Belmont Place or if it will remain in its current location (the latter scenario would place the proposed residential units within the gated area). The location of the proposed conference center parking garage, while located outside of the rezoning area, should also be indicated so its relationship to the proposed residential units can be determined.

Applicant's Response: As the final engineering for the gatehouse and parking garage has yet to be determined, the Applicant believes it is premature to commit to a location at this time. The Applicant submits that the 50-foot Type III buffer will provide adequate buffering and screening from non-residential uses on the PD-SA portion of the Property.

Issue Status: With the revisions to construct Roads "A" and "B" to public (VDOT) standards, the existing gatehouse must be moved to a point beyond the end of the public segment of Road "A"; this relocation would therefore not impact this application (the Applicant on Sheet 10 of the plan set acknowledges that the gatehouse will need to be relocated). The Applicant should ensure that the ultimate gatehouse location will not conflict with VDOT standards for the cul-de-sac at the end of Road "A" (a ZMOD is requested to reduce the minimum distance that the gatehouse may be located from to the proposed ROW). OTS has no issues with the proximity of the approved conference center parking garage to the site. Issues resolved.

6. **Initial Staff Comment:** OTS staff appreciates the inclusion of the sidewalk and pedestrian trail network shown on the plan set. The Applicant should also identify and provide pedestrian connections between the proposed development and adjacent sections of Lansdowne as appropriate, including a pedestrian connection along the west side of Upper Belmont Place to the entrance to Belmont Ridge Middle School. All pedestrian connections should be constructed to AASHTO standards were appropriate.

Applicant's Response: The revised CDP includes a sidewalk along the west side of Upper Belmont Place to Belmont Ridge Middle School. However, connections between the proposal and Lansdowne are limited due to environmental constraints and existing topography.

Issue Status: OTS appreciates the inclusion of sidewalks along both sides of Upper Belmont Place between the site and Belmont Ridge Middle School. These sidewalks should be constructed to match other existing sidewalks in the vicinity of

the school. The Applicant should explain, however, why the trail between the neighborhood to the conference center (shown on the previous version of the plan set in the north-central portion of the site) has been eliminated. Issue resolved pending adequate explanation of the trail issue.

New Issues

Since completion of the first referral dated November 1, 2007, OTS staff has identified the following additional issues:

7. The Applicant should clarify the discrepancy in buildout year (2011) trip generation figures between the ITE rates cited in the traffic study and addendum (1,945 VPD) (see *Attachment 2*) and the site-generated forecasted volumes on Upper Belmont Place immediately outside of the existing gatehouse (approximately 1,490 VPD) noted in the traffic study (PM peak hour forecasted volumes x 10) (as shown on traffic study Figure 7 (*Attachment 8 in first OTS referral*)).
8. Staff appreciates the Applicant's proposed transit contribution of \$500.00 per residential unit (total of \$108,000.00). However, since the time that Applicants began offering the \$500.00 per unit transit contribution several years ago, the cost of a commuter bus has increased by approximately 15% (from \$418,611.00 in 2003 to \$480,161.00 in 2008). Staff recommends that the Applicant's per unit contribution be increased by a corresponding percentage to reflect the County's increased capital costs.

Conclusion

OTS does not support approval of this application in its current form. All issues identified in this referral need to be addressed, the most significant of which is the provision of alternate ingress/egress to/from the site to allow for conference center traffic to circumvent the proposed residential neighborhood and to allow for an additional point of access to the residential development. The Applicant also needs to provide the requested analysis of the Upper Belmont Place/Riverpoint Drive intersection; clarify the number of trips that will be generated by the application; provide data regarding the number of commercial vehicles that access the conference center on a daily basis; provide rationale for removal of the trail to the conference center; and provide an appropriate transit contribution. OTS staff is available to meet with the Applicant to discuss these comments. OTS will offer a recommendation once the Applicant's response to this referral is received.

ATTACHMENTS

1. Site Vicinity Map
2. Applicant's Updated Trip Generation Comparison (Previous vs. Current Version of Application) (March 6, 2008)

cc: Andrew Beacher, Assistant Director, OTS
Nancy Gourley, Transit Division Manager, OTS
Rory Toth, Planner, Zoning Administration, Building & Development
Tom VanPoole, Senior Transportation Engineer, VDOT

County of Loudoun
Office of Transportation Services
MEMORANDUM

DATE: November 1, 2007

TO: Ginny Rowen, Project Manager
Department of Planning

FROM: Lou Mosurak, AICP, Senior Transportation Planner

THROUGH: Art Smith, Senior Coordinator

**SUBJECT: ZMAP 2007-0004—National Conference Center (Residential)
First Referral**

Background

This application proposes to rezone approximately 46 acres of the 112-acre National Conference Center property in Lansdowne from PD-SA (Planned Development—Special Activities) to PD-H4 (Planned Development—Housing) in order to develop up to 219 residential dwelling units. The subject property (the southern portion of the conference center site) currently contains two large surface parking lots for the conference center facilities (these surface lots would be replaced by a parking structure nearer the conference center (outside of the scope of this application) if the subject property is developed with residential uses). A vicinity map is provided as *Attachment 1*. Access to the site is provided via Upper Belmont Place north from Riverside Parkway. Some portions of Upper Belmont Place that are currently one-way would be converted to two-way traffic in order to serve the proposed residential units. In its consideration of this application, the Office of Transportation Services (OTS) reviewed materials received from the Department of Planning on August 27, 2007, including (1) a traffic study prepared by Gorove/Slade Associates, Inc., dated July 9, 2007; and (2) a special exception plat (plan set) prepared by William H. Gordon Associates, Inc., dated July 2007.

Existing, Planned and Programmed Roads

Upper Belmont Place (Route 659) is a local street providing direct access to the site and the existing National Conference Center. It intersects Riverside Parkway opposite Belmont Ridge Road in Lansdowne and runs north as a four-lane divided (U4M) road to Riverpoint Drive. It continues north from that point as a two-lane (U2) local road to the entrance to Belmont Ridge Middle School, just beyond which it passes through the National Conference Center gatehouse and transitions to a private road. North of the gatehouse, Upper Belmont Place becomes a one-way clockwise loop around the conference center. Other than an emergency access point connecting the conference center to Kipheart Drive (a local

residential street to the west of the site in Lansdowne), Upper Belmont Place is the sole point of access to the site and existing conference center.

Riverpoint Drive is a local street which intersects Upper Belmont Place just north of Riverside Parkway. It provides local residential access within the Lansdowne community. Stop signs are in place on Riverpoint Drive at Upper Belmont Place.

Kipheart Drive is a local street residential street within Lansdowne. It also provides access to the Lansdowne Sports Park (northwest of Belmont Ridge Middle School). An emergency access point is in place between the conference center and Kipheart Drive opposite Thomas Lee Way.

Belmont Ridge Road (Route 659 Extended) (segment between Route 7 and Riverside Parkway) is a four-lane divided (U4M) roadway, classified by the Revised Countywide Transportation Plan (Revised CTP) as a major collector. It is ultimately planned to be widened to a six-lane divided (U6M) facility. North of Riverside Parkway, the road continues as Upper Belmont Place. A grade-separated interchange is planned at Route 7.

Riverside Parkway (Route 2401) is the Route 7 north collector road. The segment through Lansdowne is classified by the Revised CTP as a major collector, and is ultimately planned to be widened to a six-lane divided (U6M) facility. The intersection with Belmont Ridge Road and Upper Belmont Place is signalized.

Review of Submitted Traffic Study

The Applicant's submitted traffic study (dated July 9, 2007) analyzed current and future traffic conditions in the area, focusing specifically on (1) the intersection of Belmont Ridge Road/Upper Belmont Place and Riverside Parkway, and (2) the site entrance to the proposed development. Existing lane use and traffic control is illustrated on *Attachment 2*. Relevant portions of the study, including trip generation, trip distribution, as well as existing and forecasted traffic volumes and levels of service (LOS) are summarized below.

Trip Generation & Distribution

The Applicant's traffic study indicates that the proposed development program (i.e., 50 single-family detached residential units (ITE Code 210) and 169 townhouse/condominium residential units (ITE Code 230)) would generate a total of approximately 1,971 average daily trips (ADT). This 1,971 ADT figure includes 123 AM peak hour trips (24 in and 99 out) and 149 PM peak hour trips (98 in and 51 out). These figures are illustrated on the trip generation table included as *Attachment 3*. Trip generation figures are based on ITE's Trip Generation (7th Edition). As noted on the table, the proposed residential development would generate significantly fewer trips than the balance (approximately 797,000 sq ft) of unbuilt office uses (ITE Code 710) approved for the site.

Regarding trip distribution, the Applicant's traffic study indicates that approximately 40% of the site's traffic (at buildout in 2011) would arrive at the intersection of Belmont Ridge Road/Upper Belmont Place and Riverside Parkway from the west; 30% would arrive from the

east; and the remaining 25% would arrive from the south. These figures are illustrated on *Attachment 4*.

Existing (2007) Traffic Volumes and Levels of Service (LOS)

Attachment 5 illustrates existing daily and peak hour traffic volumes in the vicinity of the subject site. The study indicates that in May 2007, Upper Belmont Place carried 1,700 ADT north of the National Conference Center gatehouse, and up to 900 ADT on portions of the loop around the conference center (more vehicles currently use the southeastern portion of the one-way loop road due to the location of the existing conference center parking lots on site, and therefore do not need to travel all the way to the conference center buildings). Riverside Parkway carried 14,970 ADT west of the Upper Belmont Place/Belmont Ridge Road intersection, and 10,990 ADT to the east of the intersection. Belmont Ridge Road carried 10,980 ADT south of Riverside Parkway. These ADT figures are based on the assumption that PM peak hour volumes represent 10% of total daily trips. (While not specifically called out on *Attachment 5*, using the same 10% PM peak hour to ADT rule indicates that the segment of Upper Belmont Place between Riverside Parkway and Riverpoint Drive carried 7,980 ADT).

Attachments 6 & 7 summarize the existing intersections in the vicinity of the site; the study indicates the existing site entrance (i.e., the conference center parking lot entrance) as well as the intersection of Belmont Ridge Road/Upper Belmont Place and Riverside Parkway both operate at acceptable LOS during both the AM and PM peak hours. (No LOS information was provided in the study for any other intersections along Upper Belmont Place north of Riverside Parkway).

Forecasted (2011) Traffic Volumes, Levels of Service (LOS) and Recommended Mitigation Measures

Attachment 8 illustrates forecasted site-generated traffic volumes at buildout in 2011, while *Attachment 9* depicts total future traffic volumes at buildout (including background traffic). The study assumed a compounded 2% annual growth rate for background traffic. Traffic volumes are expected to increase significantly in the area due to increases in regional background trips (including trips from the nearby Lansdowne Village Greens (town center) development). In 2011, Upper Belmont Place is anticipated to carry 3,190 ADT north of the current National Conference Center gatehouse location – 1,490 ADT west of the site entrance, and 2,340 ADT east of the site entrance. Further south, a total of 22,470 ADT are anticipated to use Riverside Parkway west of the Upper Belmont Place/Belmont Ridge Road intersection, and 17,290 ADT are anticipated to use Riverside Parkway east of that intersection. Belmont Ridge Road is anticipated to carry 21,100 ADT south of Riverside Parkway. (As with existing conditions noted above, no forecasted volumes or LOS information was provided for any other intersections along Upper Belmont Place north of Riverside Parkway).

Attachments 10 & 11 summarize the forecasted intersection LOS in the vicinity of the site, as well as the future lane use and traffic control in the area. The study concludes that no off-site traffic mitigation measures are needed as the proposed development will have a negligible impact on the surrounding road network. The study notes that portions of the existing Upper

Belmont Place one-way loop will be converted to two-way traffic to serve the proposed residential development, and that the site entrance intersection (just north of the conference center gatehouse) will be reconfigured to accommodate two-way traffic from all three directions.

Transportation Comments

1. After review of the submitted traffic study, staff requests that the Applicant provide existing and future traffic analyses for the intersection of Upper Belmont Place and Riverpoint Drive. Based on the traffic counts provided for the intersection of Belmont Ridge Road/Upper Belmont Place and Riverside Parkway (see *Attachment 5*), there appears to be significant existing traffic volumes at the intersection of Upper Belmont Place and Riverpoint Drive (approximately 8,000 ADT use the segment of Upper Belmont Place between Riverside Parkway and Riverpoint Drive; this amount is anticipated to increase to approximately 14,540 ADT by project buildout in 2011 (see *Attachment 9*)).
2. The proposed configuration of the residential development and road network would result in all conference center traffic (including trucks and other service vehicles) having to pass through the residential area (the Applicant is requesting a Zoning Modification to allow such a configuration). The proposed road network would create numerous conflicts between the residential uses and commercial traffic, though the Applicant's justification for the proposed ZMOD makes no mention of such issues. OTS recommends that the site be re-designed to provide separate conference center access that does not traverse the proposed residential development. Further discussion on this matter is necessary.
3. The application proposes to allow all 219 residential units to use a single point of access. This amount is nearly three times the maximum of 80 units that are permitted by the Zoning Ordinance. Given the number of units proposed to use this sole access point, as well as the additional conference center traffic that will need to traverse the residential development, OTS believes that additional ingress and egress points should be studied. Further discussion on this matter is necessary.
4. The plan set should clearly state that all roads within the proposed development are to be private (not publicly maintained) and will be built to applicable Loudoun County Facilities Standards Manual (FSM) standards. Typical sections for each roadway type (category) should be included in the plan set. If the design of the road network as proposed is to be retained, Roads "A" and "B" may need to be designed and built to VDOT (public) road standards as these roads serve a use (conference center) that is not permitted in the PD-H4 zoning district (OTS defers to Zoning Administration regarding the need for public roads).
5. The Applicant should indicate as to whether the existing conference center gatehouse will be relocated to a point further north on Upper Belmont Place or if it will remain in its current location (the latter scenario would place the proposed residential units within the gated area). The location of the proposed conference center parking garage, while

located outside of the rezoning area, should also be indicated so its relationship to the proposed residential units can be determined.

6. OTS staff appreciates the inclusion of the sidewalk and pedestrian trail network shown on the plan set. The Applicant should also identify and provide pedestrian connections between the proposed development and adjacent sections of Lansdowne as appropriate, including a pedestrian connection along the west side of Upper Belmont Place to the entrance to Belmont Ridge Middle School. All pedestrian connections should be constructed to AASHTO standards where appropriate.

Conclusion

OTS does not support approval of this application in its current form. OTS staff is available to meet with the Applicant and other County staff as necessary.

ATTACHMENTS

1. Site Vicinity Map
2. Existing Roadway Network (Lane Use & Traffic Control) (Traffic Study Figure 2)
3. Trip Generation by Proposed Development (Traffic Study Table 4)
4. Trip Distribution by Proposed Development (Traffic Study Figure 7)
5. Existing (2007) Traffic Volumes (Traffic Study Figure 3)
6. Existing (2007) Intersection Capacity Analysis/LOS Summary (Traffic Study Table 2)
7. Existing (2007) Peak Hour Intersection LOS Summary (Traffic Study Figure 4)
8. Forecasted (2011) Site-Generated Traffic Volumes (Traffic Study Figure 7)
9. Forecasted (2011) Total Future Traffic Volumes (Traffic Study Figure 8)
10. Forecasted (2011) Intersection Capacity Analysis/LOS Summary (Traffic Study Table 5)
11. Forecasted (2011) Peak Hour Intersection LOS Summary and Anticipated Lane Use/Traffic Control (Traffic Study Figure 9)

cc: Andrew Beacher, Assistant Director, OTS
William Marsh, Environmental Review Team Leader, Building & Development
Rory Toth, Planner, Zoning Administration, Building & Development

June 11 2009

Ms. Ginny Rowen
County of Loudoun
Department of Planning MSC#62
1 Harrison Street, S.E.
P.O. Box 7000
Leesburg, Virginia 20177-7000

Re: Lansdowne National Conference Center
Loudoun County Application Number ZMAP 2007-0004

Dear Ms. Rowen:

We have reviewed the above revised application as requested in your May 13, 2009 transmittal (received May 19, 2009). Our November 4, 2008 comments continue to apply as follows:

1. We continue strongly recommend that the internal streets be designed to be eligible for acceptance into the VDOT system. Therefore, we recommend denial of the zoning modification request to allow private streets with lesser design standards.
2. The proposed zoning modification to allow the guardhouse and related parking within 35' and 25' of a road, respectively, should be clarified. Ensure that there is sufficient stacking space between the guardhouse and the public street for any anticipated queue, and sufficient maneuvering space to allow vehicles turned away at the guardhouse to turn around.
3. Ensure that proposed tree planting does not obscure safe sight distance at intersections and entrances.
4. The proposed zoning modification for a single point of access seems needless, as the concept plan depicts the second connection of Road A to Kipheart Drive. Any uncertainty concerning the granting of the short right of way across the county property should be resolved before moving ahead with this project.

If you have any questions, please call me at (703) 383-2424.

Sincerely,

Thomas B. VanPoole, P.E.
Senior Transportation Engineer

Attachment 1D

A-97

DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: July 2, 2009

TO: Ginny Rowen, Planning Project Manager

FROM: William Marsh, Environmental Review Team Leader

CC: Marie Genovese, Community Planner
Rory Toth, Zoning Planner

SUBJECT: ZMAP-2007-0004 National Conference Center

The Environmental Review Team (ERT) reviewed the fourth submittal of this application. Our comments pertaining to the current application are as follows:

1. Draft proffer VII.D commits to a best management practice (BMP) design that achieves a 50-percent phosphorous reduction using a pond design that disturbs a minor floodplain channel. Because this is considered an "on line" impact per the US Army Corps of Engineers and Virginia Department of Environmental Quality, staff considers the proffer language insufficient and recommends that the applicant achieve the phosphorous reduction through BMP design within the proposed landbays and uphill of the floodplain and river and stream corridor.
2. Staff understands it to be the case that the applicant does not agree to any energy efficiency or other green building commitments as recommended by Revised General Plan policy.
3. Zoning and Planning staff have recommended increased open space area, including active recreation open space. ERT concurs with these recommendations. ERT has also recommended preservation of healthy stands of hardwood forest canopy that the applicant has not agreed to. Staff notes that active recreation has been incorporated into neighborhood developments in ways that preserve tree canopy, including Dinosaur Park in Ashburn. Therefore, ERT recommends depiction of larger areas of active recreation on site, including tot lots, that will be designed to preserve hardwood canopy sufficient to provide shade for said recreation areas.
4. Draft proffer VII.E commits to buffer enhancement planting areas without clearly specifying said areas on Sheet 5. Staff requests further details on location, quantity and ratios of plant types to verify the benefit of this proffer.

Please contact me if you need any additional information as you complete your review.

Attachment 1 E

A-98

DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: October 30, 2007

TO: Ginny Rowen, Planning Project Manager

FROM: William Marsh, Environmental Review Team Leader

CC: Marie Genovese, Community Planner
Lou Mosurak, Planner, Office of Transportation Services

SUBJECT: ZMAP-2007-0004 National Conference Center

The Environmental Review Team (ERT) reviewed the subject application during the October 16, 2007, ERT Meeting and during an October 30, 2007, field visit. Our comments pertaining to the current application are as follows:

The ideal environmental development

1. Notwithstanding the following comments, ERT most strongly recommends a design that limits development to the area within the perimeter of the existing parking lot area, without losing development yield. Based on the site visit, the existing hardwood forest cover is young, diverse, and likely to thrive for over a century if left undisturbed. This habitat has almost disappeared from this area of the county. This approach would meet virtually all green infrastructure policies in Chapter 5 of the Revised General Plan (RGP). It would also remove most if not all stormwater management requirements to the extent that it would not increase existing impervious cover.

Depiction of stream and forest resources

2. The applicant justifies a dense residential footprint in part by claiming that the "green spine" of the property is protected from development. While this is a laudable concept, several important assessments are missing that would validate this approach, including the following:
 - No depiction of the river and stream corridor, consistent with river and stream corridor policy guidance on page 5-6 through 5-10 of the Revised General Plan.

- No jurisdictional determination of wetlands or waters of the United States, as required for development that disturbs these resources, per the Clean Water Act.
- No description and location of specimen trees on site, even though this site possesses significant hardwood forest stands, especially near the minor floodplain in areas that anchor steep slopes.

Please include this information with the next submittal. Doing so will demarcate areas that should not be fractured by sanitary sewer connections, stormwater infrastructure, and limits of clearing and grading.

Depiction of steep slopes

3. Staff strongly recommends depicting steep slopes for this project based on two-foot contour intervals, as required for a construction plan and profile or site plan submission in Chapter 8 of the Facilities Standards Manual. Frequently, areas of moderately steep slopes will be re-classified as very steep slopes when the five-foot topographic information available on the county geographic information system is revised. Concept development plans for other applications have required revisions at the construction plan or site plan stage because revised topographic information changed very steep slope depictions, causing shifts in proposed infrastructure locations based on Section 5-1508 of the Revised 1993 Zoning Ordinance (ZO).

Tree conservation

4. The Forest, Trees, and Vegetation Policies of the RGP encourage the preservation of existing vegetation (Page 5-32). The application indicates no commitment to preserving and conserving tree resources. Staff recommends that tree conservation areas be depicted on the concept development plan and further recommends a tree conservation commitment consistent with the following, which has been approved by the County Arborist, to ensure preservation of identified Tree Conservation Areas.

“Within the areas identified on the Concept Development Plan (CDP) as “Tree Conservation Areas,” the Owner shall preserve healthy trees provided, however, that trees may be removed to the extent necessary for the construction of trails and Stormwater Management Facilities that are required pursuant to the proffers and/or shown on the approved construction plans and profiles as lying within such Tree Conservation Areas and for the construction of utilities necessary for development of the Property. A minimum of eighty (80) percent of the canopy within the cumulative Tree Conservation Area depicted on the CDP will be preserved, exclusive of stands of Virginia Pine over 25 years in age. In the event that the eighty (80) percent canopy threshold cannot be achieved within the designated Tree Conservation Areas, such lost canopy will be recaptured elsewhere onsite in locations to be designated at the discretion of the Owner in

consultation with the County. Boundaries of all Tree Conservation Areas shall be delineated on the record plat recorded for each section of the development.”

“If, during construction on the Property, it is determined by the Owner’s certified arborist and/or the County that any healthy tree located within the boundaries of any of the Tree Conservation Areas described in this proffer has been damaged during construction and will not survive, then, prior to any subsequent bond release for the Property, the Owner shall remove each such tree and replace each such tree with two (2) 2½ - 3 inch caliper native, non-invasive deciduous trees. The placement of the replacement trees shall be proximate to the area of each such damaged tree so removed, or in another area as requested by the County.”

“The HOA documents shall include a provision that prohibits removal of trees in Tree Conservation Areas as shown on the record plat after construction has been completed by the Owner without specific permission of the County Forester except as necessary to accommodate Forest Management Techniques, performed by or recommended by a professional forester or certified arborist, that are necessary to protect or enhance the viability of the canopy. Such Management Techniques may include, without limitation, pruning and the removal of vines, invasive species, trees uprooted or damaged by extreme weather conditions, and trees or limbs that are diseased, insect-infested, dead, or are considered a hazard to life or property. The HOA documents shall clearly state that such provisions prohibiting tree removal shall not be amended by the Owner or the HOA without written approval from the County. The record plat for each portion of the Property containing a Tree Conservation Area shall contain a note stating that the removal of trees within a Tree Conservation Area is prohibited except in accordance with the Declaration of Covenants.”

Stream and wetland preservation, mitigation

5. Staff recommends that that a commitment be provided to mitigate stream and wetland impacts associated with the project as follows: 1) onsite, 2) within the same 8-digit hydrologic unit code (HUC) within the same Loudoun County Planning Policy Area, 3) within the same 8-digit HUC outside the Loudoun County Planning Policy Area, and 4) Loudoun County, subject to approval by the U.S. Army Corps of Engineers (Corps) and the Virginia Department of Environmental Quality (DEQ). If no such areas are available within the County as verified by County Staff, the applicant shall be permitted to provide wetland mitigation outside of Loudoun County.

Locating mitigation in close proximity to the proposed impacts is imperative to minimizing the effects of the proposed project on water quality and wildlife habitat, matters for consideration outlined in Section 6-1211.E.9 of the Revised 1993 Loudoun County Zoning Ordinance. Furthermore, this approach is consistent with Policy 23 on Page 5-11 of the RGP, which states that “the County will support the federal goal of no net loss to wetlands in the County,” and the County's overall

strategy to protect its existing green infrastructure elements and to recapture elements where possible (RGP, Page 6-8, Green Infrastructure Text).

Regarding stormwater management

6. Staff recommends several measures to maintain water quality during construction and thereafter, including the following:
 - All erosion and sediment control practices must adhere to Chapter 1220 of the Codified Ordinances of Loudoun County, Chapter 7 of this manual, and the latest edition of the Virginia Erosion and Sediment Control Handbook. In addition, the following more protective measures will be applied to the project:
 - Super silt fence will be substituted for silt fence in all perimeter locations.
 - Sediment traps and basins will provide double the minimum required volume (286 cubic yards per acre), except that this volume may be reduced to avoid impacts to sensitive environmental features (e.g., streams, wetlands, forest cover, steep slopes).
 - The use of stabilization matting will be expanded to aid in establishment of vegetation.
 - Development phasing will be utilized to avoid extensive areas of disturbance for extended periods of time.
 - The Surface Water Policies within the RGP support the implementation of Low-Impact Development (LID) techniques (Page 5-17). ERT suggests incorporation of rainwater harvesting from proposed rooftops for landscaping purposes and infiltration best management practices (BMP) to maintain existing hydrology, including the replenishment of the groundwater table that is listed in Issue M of Revised ZO Section 6-1310. LID is a stormwater management approach designed to replenish groundwater that is important to maintaining base flow in streams.
 - BMP design should consider the highest feasible phosphorous removal percentage, based on design guidelines in the Virginia Stormwater Management Handbook. For example, a BMP design of extended dry ponds can achieve a higher nutrient removal percentage as an equally constructible extended enhanced facility.

Regarding Green Building Practices

7. Staff recommends developing a feasible, effective green building commitment for this application. The Board of Supervisors recently adopted CPAM-2007-0001, housing policy that includes Guiding Principle Policy 12: "The county encourages development that utilizes energy efficient design and construction principles, promotes high performance and sustainable buildings, and minimizes construction waste and other negative environmental impacts." Several feasible, practicable standards exist for green neighborhood development, including but not limited to EarthCraft, LEED for Homes, and green building standards promulgated by the National Association of Home Builders. One particular focus of the green building commitment should address reuse or recycling of the existing parking surfaces.

The referenced commitment is also consistent with the General Water Policies supporting long-term water conservation (Policy 1, Page 2-20), the Solid Waste Management Policies supporting waste reduction, reuse, and recycling (Policy 2, Page 2-23), and the Air Quality Policies supporting the creation of pedestrian and bicycle facilities (Policy 1, Page 5-41). Furthermore, the County encourages project designs that ensure long-term sustainability, as discussed in the Suburban Policy Area, Land Use and Pattern Design text (Page 6-2).

Regarding digital data

8. Staff is embarking on a project to map and inventory wetlands and cultural resources located within Loudoun County. We are requesting that the development community contribute digital data to this effort. Specifically, two separate digital data layers are requested, one depicting the Corps-approved wetland delineation (including jurisdictional waters and wetlands) and the other locating the sites and structures identified in the Phase 1 Archaeological Survey. Loudoun County's GIS uses ESRI software and can import .DXF data. Our coordinate system is Virginia State Plane. Datum NAD 83 data is preferable, if available. Documentation on the digital data (e.g., map scale, age, etc.) is requested. If this information cannot be provided prior to approval of the rezoning application, staff recommends that a commitment be provided indicating when this information will be submitted to the County.

Regarding noise impacts

9. ERT encourages consideration of a noise impact study to determine the need for buffers or acoustical treatment to homes located near the access roads for the Xerox facility. This application contemplates co-location of a commercial access with residential access for this development, while also proposing close proximity of the residential facades to the streets.

A noise impact study should be conducted by a certified professional engineer and submitted to the County concurrently with the first site plan or construction plan, whichever is first in time. The study should anticipate the traffic volume expected 20 years in the future, the ultimate road configuration, and design speed. Noise impacts occur if noise levels substantially exceed the existing noise levels (a 10 decibel increase over existing levels) or approach (one decibel less than), meet, or exceed the Noise Abatement Criteria identified in the Revised Countywide Transportation Plan. For all impacted uses, noise attenuation measures shall be provided along the specified roadways sufficient to mitigate the anticipated noise impacts prior to the issuance of occupancy permits for any impacted structures. Noise attenuation shall result in noise levels less than impact levels (2 decibels less than the Noise Abatement Criteria) and shall result in a noise reduction of at least 5 decibels.

Staff would appreciate the opportunity to meet with the applicant and the engineer to engage in additional discussion regarding these issues. Please contact me if you need any additional information as you complete your review.



LOUDOUN COUNTY PUBLIC SCHOOLS
PLANNING AND LEGISLATIVE SERVICES

21000 Education Court
Ashburn, Virginia 20148
Telephone: 571-252-1050
Facsimile: 571-252-1101

May 15, 2009

Ms. Ginny Rowen
County of Loudoun
Department of Planning
1 Harrison Street, SE
Post Office Box 7000
Leesburg, Virginia 20177

RE: ZMAP 2007-0004/National Conference Center

Dear Ginny:

School Board staff has reviewed the most recent response comments, including proffer statement dated April 13, 2009, from the National Conference Center applicant. Based on the 2008 Virginia-County of Loudoun School Census, the revised unit mix of 45 single family detached, 105 single family attached and 62 multifamily units now proposed with the National Conference Center zoning map amendment will generate a total of 109 school-age children: 55 elementary school-age children (grades K-5), 25 middle school-age children (grades 6-8) and 29 high school-age children (grades 9-12). A project assessment chart is attached and provides the operational and capital expenses associated with the revised unit mix.

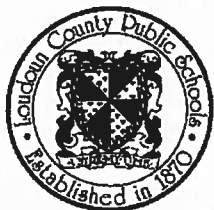
With the exception of providing an updated project assessment chart, staff offers no further comments from those originally submitted on September 7, 2007. Should you require any additional information, please contact me at your earliest convenience.

Sincerely,

Sam Adamo, Director

Attachment

c: Edgar Hatrick, Division Superintendent
Loudoun County School Board
(Site Location: Broad Run Election District)



Loudoun County Public Schools

Department of Planning and Legislative Services

Project Assessment

Project Name: ZAMP 2007-0004/National Conference Center

2008 Virginia-County of Loudoun School Census Student Generation Factors		Housing Units	Elementary School Student Generation	Middle School Student Generation	High School Student Generation	Student Generation Total
Single Family Detached (SFD)	0.87	45	20	9	11	40
Single Family Attached (SFA)	0.51	105	27	12	14	53
Multifamily (MF)	0.26	62	8	4	4	16
Total Students		212	55	25	29	109
Capital Costs			Elementary School Cost (FY 2010 CIP)	Middle School Cost (FY 2010 CIP)	High School Cost (FY 2010 CIP)	Total Capital Expenditure
School Cost			\$27,560,000	\$50,130,000	\$99,110,000	
Capacity			875	1,350	1,800	
Per Pupil Cost			\$31,497	\$37,133	\$55,061	
Project's Capital Costs			\$1,732,343	\$928,333	\$1,596,772	\$4,257,448
Annual Operational Costs			FY 2009 Estimated Per Pupil Cost	Student Generation Total	Annual Operational Costs	
			\$12,780	109	\$1,393,064	
School Facility Information			Elementary School (Grades K-5)	Middle School (Grades 6-8)	High School (Grades 9-12)	
2008-09 School Attendance Zone			Seldens Landing	Belmont Ridge	Stone Bridge	
September 30, 2008 Student Enrollment			938	1131	1839	
2008-09 Building Program Capacity			896	1197	1618	

COUNTY OF LOUDOUN
Department of Economic Development

REFERRAL

DATE: May 25, 2009

TO: Ginny Rowen, Project Manager

FROM: Robyn Bailey, Economic Development

SUBJECT: ZMAP 2007-0004, National Conference Center

Description

The applicant, WXIII/Oxford DTC Real Estate LLC, has submitted an application for a Zoning Map Amendment to rezone approximately 45.76 acres from PD-SA to PDH-4 to develop 212 residential units. The property is located on the southern portion of the existing National Conference Center site in Lansdowne which is at the northern terminus of Upper Belmont Place.

The proposed action would add 212 residential units and eliminate 45.76 acres of potential commercial development.

Evaluation

The Department of Economic Development's core mission is to support the formation, expansion, retention, and location of appropriate industries and businesses in Loudoun and the region. Successful economic development increases the community's capacity to generate wealth; one result of this is a local government with the sustained fiscal strength necessary to develop a high quality community while keeping tax rates competitive.

The applicant requests the conversion of PD-SA land to residential. This is the only site zoned PD-SA which allows a variety of special commercial uses. The National Conference Center is a unique asset in Loudoun. The conference center is one of the largest conference centers on the east coast and offers a secluded and secured environment. The addition of housing adjacent to this unique facility is not encouraged. The applicant is encouraged to seek a commercial buffer around the National Conference Center to avoid the potential of residential encroachment. The conversion of the land around the National Conference Center to residential provides the potential for conflict with the secured/secluded environment currently offered.

Conclusion

The applicant is encouraged to consider retaining a commercial buffer around the National Conference Center. The Department of Economic Development would welcome the opportunity to work with the applicant on viable commercial uses surrounding the National Conference Center. The addition of residential will likely have negative impacts on the future of the National Conference Center in a protected campus like setting.

A-107

Attachment 1 G



**COUNTY OF LOUDOUN
PARKS, RECREATION AND COMMUNITY SERVICES
REFERRAL MEMORANDUM**

To: Ginny Rowen, Project Manager, Planning Department (MSC #62)
From: Brian G. Fuller, Park Planner, Facilities Planning and Development (MSC #78)
Through: Mark A. Novak, Chief Park Planner, Facilities Planning and Development
CC: Diane Ryburn, Director
Steve Torpy, Assistant Director
Su Webb, Chairman, PROS Board, Catoclin District
Michael G. Capretti, PROS Board, Broad Run District
Robert C. Wright, PROS Board, Open Space Member
James E. O'Connor, PROS Board, Open Space Member
Date: June 22, 2009

Subject: National Conference Center ZMAP 2007-0007 (4th Submission)
Election District: Broad Run **Sub Planning Area:** Ashburn
MCPI # 081-36-9067

BACKGROUND AND ANALYSIS:

The Property is located on the southern portion of the existing National Conference Center site in Lansdowne, at the northern terminus of Upper Belmont Place (Route 659) adjacent to Belmont Ridge Middle School. The site consists of approximately 45.76 acres within the Ashburn Community of the Suburban Policy Area, and is located in the Broad Run Election District. The Property is currently zoned PD-SA (Planned Development – Special Activity). The Applicant proposes to develop the Property as an infill residential community, consisting of 212 units, including 45 single family detached houses, 105 townhouse units, and 62 multi-family units. To support this program, the Applicant seeks to rezone the Property from PD-SA to PDH-4 (administered as R-8 and R-16) in accordance with the provisions of the Revised 1993 Loudoun County Zoning Ordinance.

The Applicant is also seeking Zoning Modifications for private streets serving single family detached units, the number of units to be served by a single access point, elimination/reduction of the 50' permanent open space buffer, and the elimination of the minimum setback for a guardhouse building. The Property is located within Lansdowne, a diverse, mixed-use community that offers a combination of employment opportunities, transportation, and civic uses such as schools and ballfields.

COMMENTS:

Attachment 1 H

A-108

The Department of Parks, Recreation and Community Services (PRCS) has reviewed the Applicant's responses dated April 27, 2009 to referral comments dated October 30, 2008, the revised proffer statement dated April 13, 2009, and the revised ZMAP Concept Plan dated April 27, 2009. The following is a summary of the current status of new comments identified by the Department of Parks, Recreation and Community Services (PRCS) on October 30, 2008; all previously-resolved comments have been removed:

3. In conjunction with Comment 2, the Property is in close proximity to two County public parks, Lansdowne Sports Park and Elizabeth Mills Riverfront Park, which contains a portion of the Potomac Heritage National Scenic Trail. These parks are well-used and enjoyed by the Lansdowne community, which leads to significant wear and tear on the fields, trails, etc. PRCS would appreciate the Applicant's consideration of providing proffers or cash contributions to help improve these PRCS public recreational facilities. Specifically this would include field restoration and irrigation systems on the athletic fields at the Sports Park, as well as signage and footbridges along the Potomac Heritage National Scenic Trail in the Riverfront Park. These improvements may be subject to the draft 2007 PRCS Design and Construction Standards Manual.

Applicant Response: *The Applicant has included a commitment to capital facilities within the draft proffer statement. If the County chooses, monies allocated toward capital facilities can be utilized to improve these facilities.*

Issue Status: In conjunction with Staff's response to Comment 2, the proposed onsite amenities will not satisfactorily offset the reliance of the future residents on public facilities. Future residents will require usage of public athletic fields, recreational and community centers, hiking trails, etc. Therefore, PRCS recommends that the Applicant proffer to further develop existing public recreational facilities within a 1-mile radius of the project area. Considering that the proposed development borders the Lansdowne Sports Park, these improvements could include, but would not be limited to, irrigation systems on the baseball and soccer fields, an interpretive nature/exercise trail, and/or lighting of the baseball and soccer fields. Staff recommends proffering one or more of these improvements, or earmarking a portion of the cash contribution specifically to one of these improvements.

Applicant Response: *The Applicant appreciates that future residents of the Property will use open space facilities beyond the boundaries of the Property, however, it maintains that a contribution to the upkeep of these facilities should be provided from capital facility commitments discussed in the draft Proffers. It is also important to note that, as discussed on page 31 above, the draft Proffers*

have been revised to include a financial commitment towards the purchase of open space easements.

Issue Status: PRCS appreciates the Applicant's financial commitment towards future open space. Please see New Comment 12 below.

Applicant Response: *Comment acknowledged and appreciated.*

Issue Status: Resolved.

5. The Loudoun County Bicycle and Pedestrian Mobility Master Plan (BPMMP), Chapter 4(B) (p. 33), Land Development Policy 6: "All land development applications shall provide bicycle and pedestrian access through the development in various directions, so as to prevent it from becoming a barrier between other trip origins and destinations in the community." In addition, BPMMP Land Development Policy 7 (p. 33), "All land development applications shall provide a sufficient number of bicycle and pedestrian access points to ensure efficient connections to and from the various activity nodes within the development and linkages to existing or future adjacent developments."

The Applicant claims that the "Property offers a unique opportunity to create a... natural extension of the Lansdowne Community." However, only one main access point is provided to the proposed development and no bicycle and/or pedestrian connections are provided to any of the neighboring Lansdowne community streets, sidewalks, or trails. Staff specifically notes the opportunity to provide trails offsite to Kipheart Drive, Ridgeback Court, Boyer Fields Place, and the Lansdowne Recreation Center. The Applicant should demonstrate to Staff, the Planning Commission, and the Board of Supervisors how bicycle and pedestrian access to and through the development and connections to Lansdowne development are being met.

Applicant Response: *Sheet 6 of the CDP shows an extensive trail and sidewalk system throughout the Property. The Applicant respectfully points out that pedestrian access cannot be provided to Kipheart Drive as land between the conference center is owned by a third party not a part of this application. Pedestrian access cannot be provided to Ridgeback Court or Boyers Field Place as improvements would impact environmentally sensitive areas, as well as require extensive clearing and grading that would remove substantial and healthy vegetation from the Property. The Applicant has elected to preserve this vegetation as a tree conservation area.*

Issue Status: Unresolved. It appears that the only access to the proposed development is through the entrance off of Upper Belmont Place. As the

Applicant has stated that it wishes to be an extension of Lansdowne, Staff is concerned with pedestrian connectivity.

In addition, Staff requests more information concerning the “third party” owner of the land between the conference center and Kipheart Drive. It appears that the land is a portion of the Lansdowne Sports Park, which is publically-owned property by the Board of Supervisors and administered by PRCS. PRCS is willing to partner with the Applicant to provide pedestrian connectivity from the proposed development to Lansdowne Sports Park and Kipheart Drive through what appears to be an emergency access point, further identified and discussed in Comment 11.

Applicant Response: Comment acknowledged. As discussed above, the Applicant has revised the CDP to propose a second entrance to the Property from Kipheart Drive. This second access will provide improved connections through the Property and to surrounding parts of the Lansdowne Community.

The proposed access to the Property will cross through land in the ownership of the Board of Supervisors and administered by PRCS and the Applicant would greatly appreciate any support that can be provided in the creation and provision of this second access.

Issue Status: Unresolved. Please see New Comment 13 below.

Applicant Response: Please see response to Comment 13 below.

Issue Status: Resolved. Please see Comment 13 responses below.

10. On Sheet 3 of the Concept Plan, please label the portion of the Lansdowne Sports Park that is adjacent to the western boundary of the subject parcel.

Applicant Response: Sheet 3 of the CDP has been revised as requested by staff.

Issue Status: Unresolved. Staff notes that the Lansdowne Sports Park parcel is labeled as owned by the Loudoun County Board of Supervisors. However, PRCS respectfully requests that Sheet 3 be revised to specifically label the Lansdowne Sports Park and/or delineate the athletic fields, pavilions, basketball court, playground and parking lots.

Applicant Response: Comment acknowledged. Please see the revised CDP.

Issue Status: Unresolved. Staff appreciates the delineation of the athletic fields, pavilions, basketball court, playground and parking lots, but the Lansdowne Sports Park is still not labeled or identified. Staff

acknowledges the Adjacent Property Data on Sheet 1, but notes that Parcel 081-45-4849 owned by "L.C. Board of Supervisors" should not be listed as "Vacant." It is an active public park (Lansdowne Sports Park). Please revise sheets 1 and 3 accordingly.

Applicant Response: *Comment acknowledged. Please see the revised Sheets 1 and 3.*

Issue Status: **Staff acknowledges the addition of the Plat Label to the Vicinity Map on Sheet 1, but notes that the Adjacent Property Data tabulation still lists Parcel 081-45-4849 as "Vacant." Please revise the use to "Park." Staff appreciates the additional revisions to current Sheets 4 and 5.**

12. In regards to previous referral discussion related to Comment 3, Staff recommends Proffer IV.B. Open Space Contribution, be revised to the following:

"The Owner shall pay to the County a one-time Open Space Easement Contribution in the amount of four hundred sixty-two and 36/100 Dollars (\$426.36) for each residential unit constructed on the Property ("OSE Contribution"). This OSE Contribution shall be paid prior to or concurrent with the issuance of each residential zoning permit and shall be used by the County to pay for regional recreational facilities or open space easements in the Vicinity of the Property, including but not limited to, improvements at Lansdowne Sports Park, Elizabeth Mills Riverfront Park, Kephart Bridge Landing, Bles Park and Keep Loudoun Beautiful Park."

Applicant Response: *Comment acknowledged. Please see the revised draft Proffer IV.B.*

Issue Status: **Resolved. PRCS appreciates the Applicant's revised generous contribution to open space and specific regional recreational improvements.**

13. In regards to previous referral discussion related to Comment 5, PRCS requests a meeting with the Applicant to discuss the proposed second access road through Lansdowne Sports Park. Staff understands and supports the concerns raised by Zoning, Fire and Rescue and Office of Transportation Services Staff to provide a second access point to serve the development. However, this third submission is the first opportunity that PRCS has had to review the proposed entrance through the park, and we request the opportunity to discuss it further with the Applicant. The proposed road will encumber approximately 4800 sq. ft. (3/4 of an acre) of the park, and will bisect the park property.

Applicant Response: *Comment acknowledged. The Applicant has appreciated being able to work with Staff to discuss the provision of the proposed second access to the Property.*

Issue Status: Staff met with the Applicant's representatives on November 13, 2008, January 21, 2009, February 13, 2009, and February 23, 2009 to discuss potential options for the mitigation of the proposed road's impact to Lansdowne Sports Park. At Staff's request the Applicant has offered to dedicate a portion of their property (depicted as Parcel O-6) to the County as a part of the park in return for the needed land for the new road. In addition, the Applicant has offered to construct a new tot lot in the park closer to the restrooms and large pavilion.

However, Staff requests several revisions to proposed Proffers III.C and III.D for clarification purposes. First, please revise Proffer III.C **Dedication of Land Bay O-6** to state the following:

"Concurrent with County's release of the portion of Lansdowne Sports Park required for right-of-way necessary for the extension of Road A to Kipheart Drive, the Owner shall dedicate Land Bay O-6 as shown on the CDP, to the County at no charge for purposes of public parkland as a part of Lansdowne Sports Park."

Secondly, Staff requests that the Applicant revise Proffer III.D, Sentence 1, to state the following:

"The Owner shall dismantle and dispose of the existing tot lot at Lansdowne Sports Park, restore the area to a natural state, and construct a new tot lot in an alternative location as shown on Sheet 4 of the CDP."
(Please note the revision of Sheet 6 to Sheet 4 for the sake of consistency.)

Please also revise the approximate amounts to be consistent throughout the Proffer. Staff also cautions against proffering to an approximate amount of money that this park improvement would be worth. What if the Applicant is not able to complete the tot lot construction to PRCS standards within the amount proposed? Would the County be responsible for the remaining improvements?

Furthermore, Staff does not support this amount of money being counted as a credit to the Applicant's required capital facilities contribution. It was discussed amongst Staff and the Applicant's representative that the proposed tot lot removal and reconstruction would be a good-faith contribution to assist in the mitigation of the Road A impacts to the park site in addition to the "land swap" proposed in Proffer III.C. However, it

will be up to the Board of Supervisors to determine whether or not to grant the credit to the Applicant.

NEW COMMENTS (June 22, 2009):

14. Staff notes the addition of Proffer VIII.D "Sports-Plex/Community Center." Staff met with the Applicant and their representative onsite to evaluate the facility on June 12, 2009. While PRCS is not immediately opposed to the acceptance of the facility, Staff will need to further evaluate it in relation to our Service Plan needs and its fiscal impact to departmental resources. Prior to acceptance, the facility would also need to be assessed, inspected, and reviewed by Risk Management and the Office of Capital Construction for evaluation as a potential Recreation Center and/or Teen Center to fulfill PRCS Service Plan and County Capital Needs Assessment guidelines. Ultimately, the conveyance would need to be approved and accepted by the Board of Supervisors, including the proposed \$3 million capital facilities credit.

The facility is in need of numerous upgrades and repairs that the County is not able to undertake should the facility be conveyed at this time. The County would require that proposed Proffer VIII.D.2 be completed prior to conveyance, along with additional upgrades, such as repairs to the outdoor court surfaces and fencing, replacement of the indoor court surfaces, etc. Staff notes that there is no current or proposed direct public road access to the facility, which would need to be provided, and the Applicant's traffic study would need to be revised to reflect public street access to the recreational facility. The County would also require separate, adequate public parking to be provided per Revised 1993 Zoning Ordinance requirements.

While PRCS would be willing to provide "reasonable right of use of the Sports-Plex/Community Center" to guests and staff of the National Conference Center, Staff cannot guarantee at this time that it would be "at no cost." Currently, all PRCS staffed recreational facilities are user-fee supported.

Staff requests more information about the Applicant's intent to convey the facility to the County should the Lansdowne HOA not be willing to accept it.

CONCLUSION:

PRCS has identified above outstanding issues that require additional information to complete the review of this application, specifically Comments 11, 13, and 14. PRCS wishes to work with the Applicant to resolve these issues in a timely manner.

If you have any questions or concerns regarding these comments, please do not hesitate to contact me personally via phone at 571-258-3251, or via e-mail at brian.fuller@loudoun.gov. You may also contact Mark Novak via phone at 703-737-8992, or via e-mail at mark.novak@loudoun.gov. I look forward to attending any meetings or work sessions to offer PRCS support, or to be notified of any further information regarding this project.



**COUNTY OF LOUDOUN
PARKS, RECREATION AND COMMUNITY SERVICES
REFERRAL MEMORANDUM**

To: Ginny Rowen, Project Manager, Planning Department (MSC #62)
From: Brian G. Fuller, Park Planner, Facilities Planning and Development (MSC #78)
Through: Mark A. Novak, Chief Park Planner, Facilities Planning and Development
CC: Diane Ryburn, Director
Steve Torpy, Assistant Director
Su Webb, Park Board, Chairman
Michael G. Capretti, Park Board, Broad Run District
Date: November 15, 2007
Subject: ZMAP 2007-0007, National Conference Center
Election District: Broad Run **Sub Planning Area:** Ashburn
MCPI # 081-36-9067

BACKGROUND AND ANALYSIS:

The Property is located on the southern portion of the existing National Conference Center site in Lansdowne, at the northern terminus of Upper Belmont Place (Route 659) adjacent to Belmont Ridge Middle School. The site consists of approximately 45.76 acres within the Ashburn Community of the Suburban Policy Area, and is located in the Broad Run Election District. The Property is currently zoned PD-SA (Planned Development – Special Activity). The Applicant proposes to develop the Property as an infill residential community, consisting of 219 units, including 50 single family detached houses and 169 townhouse units, with an option to develop up to 60 multi-family units in lieu of townhouse units. Up to 27 of these units would be affordable dwelling units (ADUs), with an overall proposed density of approximately 4.78 dwelling units per gross acre. To support this program, the Applicant seeks to rezone the Property from PD-SA to PDH-4 (administered as R-8 and R-16) in accordance with the provisions of the Revised 1993 Loudoun County Zoning Ordinance. The Applicant is also seeking Zoning Modifications for building heights for multi-family units, setbacks, yards, maximum lot coverage, street width, private streets, commercial traffic through residential development, number of units to be served by a single access point, and offsite recreational and open space. The Property is located within Lansdowne, a diverse, mixed-use community that offers a combination of employment opportunities, transportation, and civic uses such as schools and ballfields.

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Attachment 1 H

POLICY:

The subject site is governed under the policies outlined in the Revised General Plan, the Revised 1993 Zoning Ordinance, the Revised Countywide Transportation Plan (CTP), and the Bicycle and Pedestrian Mobility Master Plan (Bike/Ped Plan). The Property is located within the Ashburn Community and the Suburban Policy Area. The Planned Land Use Map adopted with the Revised General Plan identifies the subject site as planned for Residential. Residential Neighborhoods should primarily provide housing, but *"smaller neighborhoods will focus on a public green or park, civic buildings such as a church or community center..."* *"Residential design features must include efficient and compact site and roadway layout with adequate open space (active, passive and natural)"* and *"incorporate a mix of housing types."*

COMMENTS:

With respect to the Department of Parks, Recreation and Community Services (PRCS), Staff offers the following comments and recommendations:

1. No proffers were submitted with this application. Please provide proffers for review.
2. This project adds 219 single-family detached units to the Broad Run District, and offers no contribution to public recreation. The Ashburn Area is presently experiencing, and will continue to experience significant residential development. Additional development from new rezoning and by-right developments will place recreational facilities in further jeopardy from a capacity perspective. Developers of other subarea residential projects indicate in their applications that the area is supported by existing and planned public facilities. However, residents from both by-right and rezoned subdivisions add a significant demand on existing recreation facilities which make it difficult to keep pace with respective service demands. This application alone will have an immediate impact on existing and planned public recreational facilities in the area. The Applicant should demonstrate to Staff, the Planning Commission, and the Board of Supervisors how the recreational and leisure needs of these new residents will be met without further taxing the existing public recreational facilities in eastern Loudoun.
3. In conjunction with Comment 2, the Property is in close proximity to two County public parks, Lansdowne Sports Park and Elizabeth Mills Riverfront Park, which contains a portion of the Potomac Heritage National Scenic Trail. These parks are well-used and enjoyed by the Lansdowne community, which leads to significant wear and tear on the fields, trails, etc. PRCS would appreciate the Applicant's consideration of providing proffers or cash contributions to help improve these PRCS public recreational facilities.

Specifically this would include field restoration and irrigation systems on the athletic fields at the Sports Park, as well as signage and footbridges along the Potomac Heritage National Scenic Trail in the Riverfront Park. These improvements may be subject to the draft 2007 PRCS Design and Construction Standards Manual.

4. PRCS does not support Modification V, to "Allow Offsite Active Recreation and Open Space for the R-8 and R-16 Districts" without providing significant contributions to those offsite facilities. As highlighted in Comments 2 and 3, this modification would significantly impact active recreation and open space areas in the surrounding community that are already inadequate and overburdened.
5. The Loudoun County Bicycle and Pedestrian Mobility Master Plan (BPMMP), Chapter 4(B) (p. 33), Land Development Policy 6: "All land development applications shall provide bicycle and pedestrian access through the development in various directions, so as to prevent it from becoming a barrier between other trip origins and destinations in the community." In addition, BPMMP Land Development Policy 7 (p. 33), "All land development applications shall provide a sufficient number of bicycle and pedestrian access points to ensure efficient connections to and from the various activity nodes within the development and linkages to existing or future adjacent developments."

The Applicant claims that the "Property offers a unique opportunity to create a... natural extension of the Lansdowne Community." However, only one main access point is provided to the proposed development and no bicycle and/or pedestrian connections are provided to any of the neighboring Lansdowne community streets, sidewalks, or trails. Staff specifically notes the opportunity to provide trails offsite to Kipheart Drive, Ridgeback Court, Boyer Fields Place, and the Lansdowne Recreation Center. The Applicant should demonstrate to Staff, the Planning Commission, and the Board of Supervisors how bicycle and pedestrian access to and through the development and connections to Lansdowne development are being met.

6. The Loudoun County Bicycle and Pedestrian Mobility Master Plan (BPMMP), Chapter 4(A), Roadway Planning and Design Policy, Walkway and Sidewalk Policy 2(a) (p. 31): "*Sidewalks in the Suburban Policy Area: Residential streets should have sidewalks with a **minimum width of five (5') feet**.* PRCS notes that the Applicant has proposed to provide that all internal sidewalks will be a minimum of 5 feet. However, it is important to recognize that providing a wider width for sidewalks does not necessarily add to the safety of sidewalk bicycle travel. Utilizing or providing a sidewalk as a shared use path is unsatisfactory. Sidewalks are typically designed for pedestrian

speeds and maneuverability and are not compatible with for higher speed bicycle use.

7. It appears that the Concept Plan shows potential impact to wetlands. The Applicant should demonstrate to Staff, the Planning Commission, and the Board of Supervisors how the potential impact to wetlands will be mitigated.
8. The Applicant is proposing to place portions of stream corridor and wetlands within open space. PRCS requests additional detailed information on any potential passive recreational uses within these open spaces (e.g., trails, etc.). In addition, Staff recommends that the open space have a Resource Management Plan that addresses the use, maintenance, target vegetation, wildlife management goals and methods, and other aspects of sustaining a functional and attractive natural, open space area. The management plan should also address how watershed protection is to be applied to ensure a healthy stream, diverse aquatic life, stable stream banks, and vibrant native vegetation. In addition, the management plan may also include opportunities and requirements for stream restoration.
9. PRCS strongly supports any efforts to protect and preserve wetlands, trees, and native vegetation because these contribute directly to protecting the health of surface water, groundwater, air quality, and aesthetics – all of which contribute to the health of the community's residents. Staff recommends that any substantial "tree save" area has a Forest Management Plan that addresses the use, maintenance, target vegetation, wildlife management goals and methods, and other aspects of sustaining a functional and attractive natural area. The management plan should address how multiple layers – overstory, understory, shrub and herbaceous layers – will be maintained to ensure the health and functionality of the vegetated open space.
10. On Sheet 3 of the Concept Plan, please label the portion of the Lansdowne Sports Park that is adjacent to the western boundary of the subject parcel.
11. On Sheet 3 of the Concept Plan, an access drive serving the National Conference Center (NCC) is shown connecting to the intersection of Kipheart Drive and Thomas Lee Way. This access was not depicted on BLAD 2005-0032 as approved and recorded, of which the parcel was gifted to the County for the purposes of Lansdowne Sports Park. Therefore, the NCC does not currently have an ingress-egress easement across County property. Please revise or explain this discrepancy.

CONCLUSION:

PRCS has identified above, several outstanding issues that require additional information to complete the review of this application.

If you have any questions or concerns regarding these comments, please do not hesitate to contact me personally via phone at 571-258-3251, or via e-mail at brian.fuller@loudoun.gov. You may also contact Mark Novak via phone at 703-737-8992, or via e-mail at mark.novak@loudoun.gov. I look forward to attending any meetings or work sessions to offer PRCS support, or to be notified of any further information regarding this project.



**COUNTY OF LOUDOUN
PARKS, RECREATION AND COMMUNITY SERVICES
REFERRAL MEMORANDUM**

To: Ginny Rowen, Project Manager, Planning Department (MSC #62)
From: *BGF* Brian G. Fuller, Park Planner, Facilities Planning and Development (MSC #78)
Through: *MAN* Mark A. Novak, Chief Park Planner, Facilities Planning and Development
CC: Diane Ryburn, Director
Steve Torpy, Assistant Director
Su Webb, Chairman, PROS Board, Catoctin District
Michael G. Capretti, PROS Board, Broad Run District
Robert C. Wright, PROS Board, Open Space Member
James E. O'Connor, PROS Board, Open Space Member
Date: September 28, 2009



Subject: National Conference Center ZMAP 2007-0007 (5th Submission)
Election District: Broad Run **Sub Planning Area:** Ashburn
MCPI # 081-36-9067

BACKGROUND AND ANALYSIS:

The Property is located on the southern portion of the existing National Conference Center site in Lansdowne, at the northern terminus of Upper Belmont Place (Route 659) adjacent to Belmont Ridge Middle School. The site consists of approximately 45.76 acres within the Ashburn Community of the Suburban Policy Area, and is located in the Broad Run Election District. The Property is currently zoned PD-SA (Planned Development – Special Activity). The Applicant proposes to develop the Property as an infill residential community, consisting of 212 units, including 45 single family detached houses, 105 townhouse units, and 62 multi-family units. To support this program, the Applicant seeks to rezone the Property from PD-SA to PDH-4 (administered as R-8 and R-16) in accordance with the provisions of the Revised 1993 Loudoun County Zoning Ordinance.

The Applicant is also seeking Zoning Modifications for private streets serving single family detached units, the number of units to be served by a single access point, elimination/reduction of the 50' permanent open space buffer, and the elimination of the minimum setback for a guardhouse building. The Property is located within Lansdowne, a diverse, mixed-use community that offers a combination of employment opportunities, transportation, and civic uses such as schools and ballfields.

Attachment 1 H

A-120.1

COMMENTS:

The Department of Parks, Recreation and Community Services (PRCS) has reviewed the Applicant's responses dated September 9, 2009 to referral comments dated April 22, 2009, the revised proffer statement dated September 8, 2009, and the revised ZMAP Concept Plan dated September 8, 2009. The following is a summary of the current status of new comments identified by the Department of Parks, Recreation and Community Services (PRCS) on June 22 2009; all previously-resolved comments have been removed:

10. On Sheet 3 of the Concept Plan, please label the portion of the Lansdowne Sports Park that is adjacent to the western boundary of the subject parcel.

Applicant Response: *Sheet 3 of the CDP has been revised as requested by staff.*

Issue Status: Unresolved. Staff notes that the Lansdowne Sports Park parcel is labeled as owned by the Loudoun County Board of Supervisors. However, PRCS respectfully requests that Sheet 3 be revised to specifically label the Lansdowne Sports Park and/or delineate the athletic fields, pavilions, basketball court, playground and parking lots.

Applicant Response: *Comment acknowledged. Please see the revised CDP.*

Issue Status: Unresolved. Staff appreciates the delineation of the athletic fields, pavilions, basketball court, playground and parking lots, but the Lansdowne Sports Park is still not labeled or identified. Staff acknowledges the Adjacent Property Data on Sheet 1, but notes that Parcel 081-45-4849 owned by "L.C. Board of Supervisors" should not be listed as "Vacant." It is an active public park (Lansdowne Sports Park). Please revise sheets 1 and 3 accordingly.

Applicant Response: *Comment acknowledged. Please see the revised Sheets 1 and 3.*

Issue Status: Staff acknowledges the addition of the Plat Label to the Vicinity Map on Sheet 1, but notes that the Adjacent Property Data tabulation still lists Parcel 081-45-4849 as "Vacant." Please revise the use to "Park." Staff appreciates the additional revisions to current Sheets 4 and 5.

Applicant Response: *Comment acknowledged. Please see the revised plat, which has been updated to address Staff's comment.*

A-120.2

Issue Status: Resolved.

12. In regards to previous referral discussion related to Comment 3, Staff recommends Proffer IV.B. Open Space Contribution, be revised to the following:

"The Owner shall pay to the County a one-time Open Space Easement Contribution in the amount of four hundred sixty-two and 36/100 Dollars (\$426.36) for each residential unit constructed on the Property ("OSE Contribution"). This OSE Contribution shall be paid prior to or concurrent with the issuance of each residential zoning permit and shall be used by the County to pay for regional recreational facilities or open space easements in the Vicinity of the Property, including but not limited to, improvements at Lansdowne Sports Park, Elizabeth Mills Riverfront Park, Kephart Bridge Landing, Bles Park and Keep Loudoun Beautiful Park."

Applicant Response: Comment acknowledged. Please see the revised draft Proffer IV.B.

Issue Status: Resolved. PRCS appreciates the Applicant's revised generous contribution to open space and specific regional recreational improvements.

Applicant Response: Comment acknowledged and appreciated. However, the Applicant notes that Community Planning Staff has requested that the proffer language does not refer to possible improvements to existing parks and instead sets out that contributions be made for open space improvements in the Ashburn Community.

Issue Status: Resolved.

13. In regards to previous referral discussion related to Comment 5, PRCS requests a meeting with the Applicant to discuss the proposed second access road through Lansdowne Sports Park. Staff understands and supports the concerns raised by Zoning, Fire and Rescue and Office of Transportation Services Staff to provide a second access point to serve the development. However, this third submission is the first opportunity that PRCS has had to review the proposed entrance through the park, and we request the opportunity to discuss it further with the Applicant. The proposed road will encumber approximately 4800 sq. ft. (3/4 of an acre) of the park, and will bisect the park property.

A-120.3

Applicant Response: *Comment acknowledged. The Applicant has appreciated being able to work with Staff to discuss the provision of the proposed second access to the Property.*

Issue Status: Staff met with the Applicant's representatives on November 13, 2008, January 21, 2009, February 13, 2009, and February 23, 2009 to discuss potential options for the mitigation of the proposed road's impact to Lansdowne Sports Park. At Staff's request the Applicant has offered to dedicate a portion of their property (depicted as Parcel O-6) to the County as a part of the park in return for the needed land for the new road. In addition, the Applicant has offered to construct a new tot lot in the park closer to the restrooms and large pavilion.

However, Staff requests several revisions to proposed Proffers III.C and III.D for clarification purposes. First, please revise Proffer III.C **Dedication of Land Bay O-6** to state the following:

"Concurrent with County's release of the portion of Lansdowne Sports Park required for right-of-way necessary for the extension of Road A to Kipheart Drive, the Owner shall dedicate Land Bay O-6 as shown on the CDP, to the County at no charge for purposes of public parkland as a part of Lansdowne Sports Park."

Applicant Response: *Comment acknowledged. The draft proffers have been revised to address Staff's comments.*

Secondly, Staff requests that the Applicant revise Proffer III.D, Sentence 1, to state the following:

"The Owner shall dismantle and dispose of the existing tot lot at Lansdowne Sports Park, restore the area to a natural state, and construct a new tot lot in an alternative location as shown on Sheet 4 of the CDP."
(Please note the revision of Sheet 6 to Sheet 4 for the sake of consistency.)

Please also revise the approximate amounts to be consistent throughout the Proffer. Staff also cautions against proffering to an approximate amount of money that this park improvement would be worth. What if the Applicant is not able to complete the tot lot construction to PRCS standards within the amount proposed? Would the County be responsible for the remaining improvements?

Furthermore, Staff does not support this amount of money being counted as a credit to the Applicant's required capital facilities contribution. It was discussed amongst Staff and the Applicant's representative that the

A-120.4

proposed tot lot removal and reconstruction would be a good-faith contribution to assist in the mitigation of the Road A impacts to the park site in addition to the "land swap" proposed in Proffer III.C. However, it will be up to the Board of Supervisors to determine whether or not to grant the credit to the Applicant.

Applicant Response: Comment acknowledged. Staff's comments are addressed by the revised draft Proffers.

Issue Status: Staff requests that Proffer III.B be further revised to state the following:

B. Lansdowne Sports Park – Tot Lot

The Owner shall provide a demolition and restoration plan for review and approval by PRCS, to include the demolition and disposal of the existing tot lot (including the play equipment, fencing, ground covering, entrance sidewalk and ancillary landscaping) at Lansdowne Sports Park, restoration of the area to its natural state, and the installation of a new tot lot of equal or greater value in the alternative location as shown on Sheet 4 of the Concept Development Plan. The new tot lot shall be provided at the request of the County, subsequent to application approval in the arrangement as shown on Exhibit C. The tot lot shall be provided in accordance with the PRCS Design and Construction Standards Manual and installation shall be coordinated with PRCS Staff.

Furthermore, Staff notes that Exhibit C is still currently missing from the Proffers. A draft version of Exhibit C that PRCS previously viewed is missing an access gate in the fence, the height of the fence, and the color palate of the play equipment. Please revise Exhibit C as requested and include it in a revised submission of the Proffers.

Lastly, PRCS still does not support a Capital Facilities Credit for the tot lot relocation as it was agreed upon by the Applicant as a contribution in the negotiations concerning the new road alignment through Lansdowne Sports Park.

14. Staff notes the addition of Proffer VIII.D "Sports-Plex/Community Center." Staff met with the Applicant and their representative onsite to evaluate the facility on June 12, 2009. While PRCS is not immediately opposed to the acceptance of the facility, Staff will need to further evaluate it in relation to our Service Plan needs and its fiscal impact to departmental resources. Prior to acceptance, the facility would also need to be assessed, inspected, and reviewed by Risk

A-120.5

Management and the Office of Capital Construction for evaluation as a potential Recreation Center and/or Teen Center to fulfill PRCS Service Plan and County Capital Needs Assessment guidelines. Ultimately, the conveyance would need to be approved and accepted by the Board of Supervisors, including the proposed \$3 million capital facilities credit.

The facility is in need of numerous upgrades and repairs that the County is not able to undertake should the facility be conveyed at this time. The County would require that proposed Proffer VIII.D.2 be completed prior to conveyance, along with additional upgrades, such as repairs to the outdoor court surfaces and fencing, replacement of the indoor court surfaces, etc. Staff notes that there is no current or proposed direct public road access to the facility, which would need to be provided, and the Applicant's traffic study would need to be revised to reflect public street access to the recreational facility. The County would also require separate, adequate public parking to be provided per Revised 1993 Zoning Ordinance requirements.

While PRCS would be willing to provide "reasonable right of use of the Sports-Plex/Community Center" to guests and staff of the National Conference Center, Staff cannot guarantee at this time that it would be "at no cost." Currently, all PRCS staffed recreational facilities are user-fee supported.

Staff requests more information about the Applicant's intent to convey the facility to the County should the Lansdowne HOA not be willing to accept it.

Applicant Response: *[Upon] further discussions concerning the Sports-Plex/Community Center with Staff, the Applicant is no longer proposing the facility be dedicated to the County.*

Issue Status: Resolved.

CONCLUSION:

PRCS has reviewed the Applicant's responses to the issues and finds them acceptable, and would not be in objection to an approval of this Application as presented.

If you have any questions or concerns regarding these comments, please do not hesitate to contact me personally via phone at 571-258-3251, or via e-mail at brian.fuller@loudoun.gov. You may also contact Mark Novak via phone at 703-737-8992, or via e-mail at mark.novak@loudoun.gov. I look forward to attending any meetings or work sessions to offer PRCS support, or to be notified of any further information regarding this project.

A-120.6



LOUDOUN COUNTY, VIRGINIA
Department of Fire, Rescue and Emergency Management

803 Sycolin Road, Suite 104 Leesburg, VA 20175
Phone 703-777-0333 Fax 703-771-5359



MEMORANDUM

To: Ginny Rowen, Project Manager
From: Maria Figueroa Taylor, Fire-Rescue Planner
Date: June 12, 2009
Subject: National Conference Center, Fourth Referral
ZMAP 2007-0004

Thank you for the opportunity to review the applicant's response to staff comments dated October 30, 2008 regarding the above-captioned application. The Fire and Rescue Staff still can not support the Applicant's request to modify Section 4-110 (D) of the Zoning Ordinance to allow more than 79 units to be served by a single point of access. The Applicant reported positive communication with PRCS regarding a land swap that would allow them to provide a secondary means of access. However, until a secondary means of access is secured Fire and Rescue is not supportive of the applicant's request.

If you have any questions or need additional information, please contact me at 703-777-0333.

C: Project file

Teamwork * Integrity * Professionalism * Service

Attachment 1 I

A-121

October 9, 2008

Ms. Ginny Rowan
Department of Planning
1 Harrison Street, S.E.
P. O. Box 7000
Leesburg, Virginia 20177-7000

Re: ZMAP-2007-0004, National Conference Center

Dear Ms. Rowan:

Loudoun Water has reviewed the referenced Zoning Map Amendment Petition and offers no objection to its approval.

Should offsite easement be required to extend public water and/or sanitary sewer to this site, the applicant shall be responsible for acquiring such easements and dedicating them to the Authority at no cost to the County or to the Authority. Public water and sanitary sewer service would be contingent upon the developer's compliance with the Loudoun Water's Statement of Policy; Rates, Rules and Regulations; and Design Standards

Should you have any questions, please do not hesitate to contact Paul Bodkin, of this office.

Sincerely,

Julie Atwell
Engineering Administrative Specialist

Attachment, 1 JS

A-122

**COUNTY OF LOUDOUN
PROFFER MATRIX TEAM**

MEMORANDUM

DATE: July 30, 2009

TO: Ginny Rowen, Project Manager

FROM: Daniel Csizmar, Capital Facilities Planner

SUBJECT: **Proffer Referral Comments**
ZMAP-2007-0004, National Conference Center

This memorandum is in response to your request for proffered capital facility comments regarding the proffer statement submitted for ZMAP-2007-0004, National Conference Center.

[Preamble] Please revise the proffer statement to provide that the proposed proffers for ZMAP-2007-0004, if approved, will supersede all existing proffers associated with ZMAP-1994-0001 that pertain to the property within the zoning map amendment area for ZMAP-2007-0004.

[Proffer II] County policy dictates that the Applicant provide 12.5% of all single family detached and single family attached residential units, and 6.25% of all multi-family units, as Affordable Dwelling Units (ADU's) within the zoning map amendment area, unless the multi-family housing units are provided in structures four stories or greater with elevators. The proffer statement and Concept Development Plan (CDP) are silent as to the number of stories of the multi-family residential buildings and whether or not the buildings will contain elevators. If the multi-family residential units are under four stories, the Applicant will need to provide 19 single family attached ADU's and 4 multi-family ADU's as part of the development. If the multi-family units are greater than four stories and contain working elevators, the Applicant still needs to provide 19 single family attached ADU's, and may still proffer to provide the 4 multi-family ADU units although the multi-family units would not be required. Please revise the proffer statement to provide that the locations of the ADU units need to be dispersed throughout the market rate units on the property, and that their location need to be displayed on the record plat.

Please also revise the proffer statement to change all references of the "Loudoun County Sanitation Authority" to "Loudoun Water".

[Proffer III.A] Proffer III.A provides that the Owner will provide two tot lots in the locations indicated on the CDP. Staff cannot find the locations of the two proposed tot lots on the CDP. Please depict and label the proposed locations of the two tot lots on the Concept Development Plan. Please revise the proffer statement to identify the specific land bays in which the tot lots will be provided, as well as square footage of the area that the tot lots will occupy. It may be helpful to include a photograph or illustration of the type of recreational or playground equipment that will be provided at the tot lot areas.

A-123

Attachment 1 K

[Proffer III.B] Please revise the proffer statement to provide the dimensions of the proposed gazebo to be constructed in Land Bay O-2.

[Proffer III.C] Please revise the proffer statement to provide for the following, "Within 30 days following approval of this zoning map amendment application, the Owner shall submit a land development application to the County to create the parcel for Land Bay O-6. Within 60 days of the creation of the parcel containing Land Bay O-6, the Owner shall dedicate Land Bay O-6 to Loudoun County. At the time of dedication, the parcel shall be free from all easements and encumbrances that are not permitted to remain on the parcel after consultation with the County Attorney's Office."

[Proffer III.D] Please be advised that capital facility credits can only be granted for proffered land dedications to the County. Relocating a tot lot within a County park can be a proffered condition, but is not subject to an automatic capital facility credit. Such a request for a capital facility credit would need to be specifically approved by the Board of Supervisors as part of the zoning map amendment application.

[Proffer IV.A] Please be advised that capital facility credits can only be granted for proffered land dedications to the County. The tot lot is not eligible for an automatic capital facility credit. The Sports Plex/Community Center does not fit any of the County's Capital Facility Standards for Parks & Recreation facilities, and therefore, is also not eligible for an automatic capital facility credit. The facility being offered to the County is not a facility the County would run or typically operate. The County is not interested in the dedication of the Sports Plex/Community Center to the County. Please eliminate the dedication of this facility to the County from the proffer statement, or provide the County the ability to refuse dedication of the facility. Please be advised that in the event the HOA and the County both refuse the dedication of the Sports Plex/Community Center facility, the Applicant will need to provide a means by which the facility will be operated.

[Proffer IV.B] Please revise the proffer statement to provide for the following, "The Owner shall make an open space contribution of \$526.35 for each residential unit constructed on the Property. Said contribution shall be paid prior to, or concurrent with, the issuance of each residential zoning permit and shall be used by the County for regional recreational facilities, and the acquisition of open space or open space easements in the Ashburn Planning Subarea, including but not limited to, improvements at Lansdowne Sports Park, Elizabeth Mills Riverfront Park, and Bles Park."

[Proffer V] Please revise the proffer statement to provide for the following, "The Owner shall make a contribution of \$500 per market rate dwelling unit constructed on the Property to the Loudoun County Housing Trust Fund for the purpose of assisting qualified owners with a household income of between 0% and 100% of the Area Median Income to purchase homes in Loudoun County. This contribution shall be made prior to or concurrent with the issuance of each market rate residential zoning permit."

[Proffer VI.A] The proffer statement provides that no more than 79 zoning permits may be issued for the property prior to the construction of Road A. Staff is unclear as to how

construction vehicles and residents will access the development if Road A is not in place from Kipheart Drive to at least Road C prior to the issuance of the 79th residential zoning permit on the property.

[Proffer VI.B] Please revise the proffer statement to provide for the following: "The Owner shall contribute \$575 per dwelling unit to the County for the purchase of transit buses, for other transit-related capital projects, or for regional transportation improvements in the Ashburn Planning Subarea. This contribution shall be made prior to or in conjunction with the issuance of each residential zoning permit."

[Proffer VIII.A] Please revise the proffer statement to provide that among the HOA's duties will be recycling services.

[Proffer VIII.D] Please be advised that the Sport Plex/Community Center does not meet any of the County's capital facility standards. At this time, the County does not want to accept ownership of the facility from the Owner or the HOA. Please delete the dedication of the Sports Plex/Community Center to the County from the proffer statement, or provide that the County has the right to refuse the dedication of the facility. If the HOA accepts the dedication of the Sports Plex/Community Center facility, or the County refuses dedication of the facility, the Applicant cannot receive a capital facilities credit for the facility.

[Recycling] Recycling is mandatory in Loudoun County per Chapters 1084 and 1086 of the Loudoun County Codified Ordinance. Building design should include consideration for inside and outside storage of solid waste and recyclable materials to ensure future residents/commercial tenants are able to comply with the County recycling requirements. For non-residential establishments, Chapter 1084.08 (d) sets the minimum required storage capacity for recyclables at 25% of, and in addition to, the total planned solid waste storage capacity. Additionally, developers and contractors are encouraged to establish a recycling plan for recyclable materials that will be generated during land clearing, construction and demolition.

[Litter Control and Prevention] Construction sites are required to have separate receptacles for construction waste and workers' litter per Chapter 1088.08(b) of the Loudoun County Codified Ordinance.

If you have any questions concerning this correspondence, please call me at (703) 771-5997.